



ST JAMES
Senior Girls' School

COMPLAINTS POLICY

POLICY ON THE HANDLING OF PARENTAL COMPLAINTS

Introduction

- 1 **Circulation:** This policy is addressed to the Senior Management Team; to all members of the teaching and pastoral staff, including school medical staff and made available to parents either on the school website or on request from the School Office. This policy can be made available in large print or other more accessible format, if required. If you require assistance with making a complaint, for example because of a disability, please contact one of the Complaints Co-ordinators who will be happy to make appropriate arrangements.
- 2 **Policy aim and statement:** Our school ethos promotes open communication with parents and encourages a continuing dialogue between home and school throughout a pupil's education.
 - 2.1 **Aim:** A complaint includes 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. The aim of this policy is to:
 - 2.1.1 ensure that a complaint is managed sympathetically, efficiently and at the appropriate level, and resolved in a timely manner;
 - 2.1.2 enable a full and fair investigation where appropriate;
 - 2.1.3 respect people's desire for confidentiality;
 - 2.1.4 address all those points at issue and provide an effective response and appropriate redress, where necessary;
 - 2.1.5 provide information to the School's senior leadership/management team so that services can be improved and any systematic issues can be identified and addressed and;
 - 2.1.6 help create a culture of safety, equality and protection.
 - 2.2 **Policy statement:** We need to know as soon as possible if there is any cause for a complaint. Parents and pupils should never feel - or be made to feel - that a complaint will be taken amiss or will adversely affect a pupil or his/her opportunities at this school.
- 3 **Policy status:** The policy has been approved by the Board of Trustees of the Independent Educational Associated Limited who has delegated responsibility for the review of policies for the Senior Girls' School to the Governing Body of the Senior Girls' School.

This policy takes account of the Education (Independent School Standards) Regulations 2014 as well as the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).
- 4 **Application:** This policy applies only to complaints by parents. The School has separate

grievance and whistleblowing policies to cover concerns that a member of staff may have. Separate procedures apply if the Headmistress expels or asks a pupil to leave and the parents seek a Governors' Review of that decision. Please see the separate Expulsion, Removal and Review Policy. 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.

There may be occasions when it is necessary or reasonable to deviate from this complaints procedure if this is reasonable and justified. Complainants will be notified of the changes.

5 **"Parent/s"/"You"** means a current parent or legal guardian or education guardian, and may include a parent whose child has recently left the School, but only if the complaint was initially raised when the pupil was still registered as a pupil at the School.

6 **Three stages:** This policy describes a three stage procedure -

Stage 1 - Raising a complaint to be considered initially on an informal basis.

Stage 2 - A formal complaint.

Stage 3 - A reference to the Complaints Panel.

7 **Timescales:** 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 are set out below in the relevant paragraphs. When we refer to "working days" we 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 the "working days" definition is likely to introduce excessive delays to the resolution of any complaint, due to intervening school holidays (including half term), the School's approach is to take sensible and reasonable steps so as to minimise any hardship or unfairness arising from such delays. 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.

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

8 **Management of complaints**

8.1 **Complaints Co-ordinators:** The Headmistress has appointed two senior members of

staff, the two Deputy Heads, to be responsible for co-ordinating complaints in consultation with the Headmistress. They are known as the Complaints Co-ordinators. If the Complaints Co-ordinators are unavailable or if one is the subject of the complaint, his/her duties will be carried out by the Headmistress or another senior member of staff appointed by the Headmistress. The main responsibilities of the Complaints Co-ordinators are to:

- 8.1.1 Co-ordinate the complaints procedures in school.
 - 8.1.2 Arrange assistance for parents who require this, for example, because of a disability
 - 8.1.3 Maintain an on-going training programme for all school employees in relation to complaints.
 - 8.1.4 Monitor the keeping, confidentiality and storage of records in relation to complaints as required by the UK GDPR.
 - 8.1.5 Report regularly to the Headmistress with respect to complaints.
- 8.2 **Yellow form:** Informal complaints may be noted, together with the action taken, on a standard form known as Yellow. These will be kept for management purposes to enable patterns to be monitored.

All formal complaints will be noted on a Yellow with a record of whether they are resolved at that stage or have proceeded to the third stage.

- 9 **Confidentiality and Record-Keeping:** All records created in accordance with this policy are managed in accordance with the School's policies that apply to the retention and destruction of records.

Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required by the Education (Independent School Standards) Regulations 2014, that is where access is requested by the Secretary of State, or where disclosure is required in the course of a school's inspection or under other legal authority or court order.

A written record will be kept of all formal complaints, and of whether they are resolved at Stage 2 or proceed to a panel hearing at Stage 3. The action taken by the School as a result of these complaints (regardless of whether they are upheld) will also be recorded in writing and kept.

The number of complaints registered under the formal procedure during the preceding school year is available to parents of pupils and parents of prospective pupils and, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate. The School makes this available by publishing it on the School's website.

In accordance with data protection principles, details of individual complaints will normally be kept only for as long as is considered to be reasonably necessary in the circumstances.

The records created in accordance with this policy may contain personal data. The School has a number of privacy notices which explain how the School will use personal data about pupils and parents. The privacy notices are published on the School's website. In addition, staff must ensure that they follow the School's data protection policies and procedures when

handling personal data created in connection with this policy. This includes the School's data protection policy and information security policy.

Complaints which do not have safeguarding implications will be retained for a minimum of 7 years (a period determined by the 6-year inspection cycle with allowance for unforeseen circumstances).

Stage 1 – Informal resolution of complaints

- 1 We expect that most complaints where a parent seeks intervention, reconsideration or some other action to be taken, can be resolved informally. Complaints may be raised either orally or in writing.
- 2 **Notification:**
 - 2.1 **Education issues, including the delivery or administration of pastoral care or disciplinary matters** may be raised with the Form Teacher, School Nurse, Head of Section, Deputy Head or Headmistress.
 - 2.2 **Financial matters** - a query relating to fees or extras should be stated in writing to the Bursar.
- 3 **Acknowledgement:** We will acknowledge a written notification by telephone, email or letter within two working days of receipt during term time and as soon as practicable in the holidays. A matter raised orally will not necessarily be acknowledged in writing but in either case a **Yellow** will be completed, and a copy sent to either of the Deputy Heads (Complaints Co-ordinators).
- 4 **Investigation and Resolution:** Wherever appropriate, the School will ask the parent at the earliest stage what they think might resolve the issue We aim to investigate and resolve an informal complaint within 15 working days of the date of receipt of the complaint.
- 5 **Unresolved complaints:** If a parent is not satisfied with the response to the complaint made in accordance with the informal procedure above, they may follow the formal procedure below.
- 6 **Complaints about those involved in dealing with informal complaints:** The procedure for dealing with an informal complaint made about a person who under this policy is tasked with the investigation of informal complaints is set out below:
 - 6.1 Parents may choose to raise complaints directly with the individual if they feel that the matter is capable of resolution informally. The complaint may be raised orally or in writing - if in writing, the School will not automatically treat the complaint as a formal (Stage 2) complaint and the individual will endeavour to resolve the complaint informally under Stage 1.
 - 6.2 The individual will acknowledge informal complaints within two working days of receipt and will seek to resolve the matter under this Stage 1 by means of direct conversation or a meeting with the parents, to be held within 15 working days of the date of receipt of the complaint.

- 6.3 If the parent is dissatisfied with the individual's response to the informal complaint or in the event that the complaint cannot be resolved by informal means, the parent may make a formal complaint under Stage 2 of this procedure.
- 6.4 Alternatively, parents may choose to make their complaint about the individual in writing in accordance with the Stage 2 formal complaints procedure.

Stage 2 - Formal resolution of complaints

- 1 Complaints will usually only progress to Stage 2 after first being considered at the informal stage and only then if the parent indicates that they intend to escalate a matter to the formal stage.
- 2 **Notification:** A formal complaint should be set out in writing, usually within 7 working days from receipt of the response to their complaint, with full details and sent with all relevant documents and your full contact details in an envelope addressed to the Headmistress. You should set out all the details of the complaint and who it has previously been raised with, a copy of any relevant documents and the outcome that you seek.
- 3 **Acknowledgement:** Your complaint will be acknowledged by telephone or in writing within two working days of receipt indicating the action that is being taken and the likely timescale. A **Yellow** will be completed by the relevant member of staff.
- 4 **Investigation:** The Headmistress may ask one of the Complaints Co-ordinators to act as 'investigator'. The investigator/s may request additional information from you and may wish to speak to you personally and to others who have relevant knowledge of the circumstances to define the scope of the complaint and or assist in the investigation. The outcome of the investigation will be reported to the Headmistress. Written records will be kept of all meetings and interviews held in relation to your complaint and any action taken as a result of a formal complaint will be recorded. Personal data may be redacted and names anonymised or cyphered in line with data protection principles.
- 5 **Outcome:** The Headmistress's aim is to inform you in writing of her decision and the reasons for it within 20 working days of the date of receipt of the formal complaint.
- 6 **Unresolved Formal Complaints:** If the parent is not satisfied with the response and decisions taken by the Headmistress at Stage 2 they may request a complaints panel hearing under Stage 3 of this procedure.
- 7 **Complaints about those involved in dealing with formal complaints:** The procedure for dealing with a formal complaint about a person who under this policy is tasked with the investigation of formal complaints is set out below:
 - 7.1 The formal complaint should be put in writing to the Chair of Governors or his deputy, as appropriate, (via the Clerk to the Governors). The complaint should include the same information referred to above at paragraph 2 above (Notification).
 - 7.2 The Chair of Governors or his deputy, as appropriate, (via the Clerk to the Governors) will acknowledge the complaint by telephone, email or letter within two working days

of receipt and indicate the action that is being taken and the likely timescale. Such action may include an investigation and/or a meeting with the parent. The parent will receive a response to the complaint within 20 working days of the date of receipt of the complaint.

7.3 If the parent is dissatisfied with the response to the complaint, the parent can request that the complaint be referred to a Complaints Panel under Stage 3. **Stage 3 – Complaints Panel Hearing**

- 1 A Complaints Panel hearing is a full-merits review of the decisions taken at Stage 2. The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.
- 2 **How to request a hearing:** To request a hearing before the Complaints Panel please write to the Clerk to the Governors. It is expected that the complaints procedure will progress in a timely manner and parents are requested to write **within seven working days of the date of the decision complained of (or, if sooner, by the last working day prior to the next school holiday)**. Your request will only be considered if you have completed the procedures at Stage 2. Please ensure that a copy of all relevant documents and your full contact details accompany your letter to the Clerk. Please state in your letter the details of those aspects of the complaint about which you remain dissatisfied and the outcome that you desire. Please also send the Clerk a list of the documents which you believe to be in the School's possession and wish the Panel to see. If you wish to be accompanied at the Complaints Panel hearing, please also indicate the name of the person who will accompany you, The Clerk will acknowledge your request in writing within five working days.
- 3 **Convening the Panel:** The Clerk to the Governors will convene the Complaints Panel as soon as reasonably practicable. Every effort will be made to enable the Panel hearing to take place within 15 working days of the receipt of your request but please note that the Panel will not normally sit during half terms or school holidays.
- 4 **Notice of hearing:** As soon as reasonably practicable, and in any event, at least five working days before the hearing, the Clerk will send you written notification of the date, time and place of the Hearing together with brief details of the Panel members who will hear it.
- 5 **Bundle of documents :** Copies of any additional documents you wish the Panel to consider should be sent to the Clerk to the Governors at least **four working days** prior to the hearing. The Clerk to the Governors will circulate a copy of the bundle of documents to be considered by the Complaints Panel to all parties at least **three working days** prior to the Hearing.
- 6 **Attendance:** You will be asked to attend the Hearing and may be accompanied by one other person such as a relative or friend. You are also required to notify the Clerk if the person who is to accompany you is legally qualified. The Hearing is an internal proceeding, not legal proceedings, and legal representation is unnecessary. Please note that the Complaints Panel will wish to speak to the parent(s) directly and any person accompanying you will not be permitted to act as an advocate or to address the Hearing unless invited to do so by the Chair of the Complaints Panel.
- 7 **Composition:** The Complaints Panel will consist of at least three people who have no detailed prior knowledge of the circumstances of the complaint. One Panel member will be independent of the management and running of the school.

8 **Chair:** The hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in an informal manner.

9 **The role of the Panel:** the Panel's task is to establish the facts surrounding the complaints that have been made by considering:

9.1 the documents provided by both parties; and

9.2 any representations made by you, or the Stage 2 decision maker

to review the process and the decision reached at Stage 2, and to consider on the balance of probabilities, whether or not to uphold each complaint.

It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, pupils, or parents. The Panel may make recommendations on these or any other issues to the Headmistress or to the full body of Governors as appropriate.

10 **Hearing:** 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. The Clerk will be asked to take a minute of the proceedings.

11 **Evidence:** The Chair will conduct the hearing in such a way as to ensure that all parties present have the opportunity of asking questions and making comments in an appropriate manner. The hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.

12 **Conduct:** 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. If terminated, the original decision will stand. 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.

13 **Adjournment:** The Chair may at his/her discretion; adjourn the hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.

14 **Decision:** After due consideration of the matters discussed at the hearing, the Panel shall reach a decision. The minutes of the Complaints Panel hearing, together with the Panel's decision, findings and any recommendations shall be confirmed in writing to you by electronic mail where appropriate within seven working days of the Panel Hearing. If you do not wish to receive the decision by electronic mail, a copy will be given or posted to you. The decisions, findings and any recommendations (including any actions taken to implement them) will be provided, where relevant, to the person complained about and made available for inspection on the school premises by the Board of Trustees and the Headmistress. Reasons for the decision will be given. The decision may include recommendations and will be sent to you, the Chair of the Governing Body, the Headmistress and, where relevant, any person about whom the complaint has been made.

15 **Private proceeding:** A hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be made available directly or indirectly to the press or other media.

- 16 The decision of the Panel is final. There will be not further opportunity within the School for consideration of the complaint. The completion of Stage 3 represents the conclusion of the School's Complaints Procedure.
- 17 The School will however ensure that the panel decision is recorded appropriately and that any recommendations made in the course of a complaint are properly considered and actioned as appropriate.

Final approval	The Board of Trustees
Date	14 December 2021

Effective date of the policy	14 December 2021
Review date	August 2022
Circulation	Trustees/Governors / teaching staff / school website / parents on request
Status	Complies with Education (Independent Schools Standards) Regulations 2014

Headmistress:	Mrs Sarah Labram
Deputy Head (Academic)	Mr Alastair Horsford
Deputy Head (Pastoral)	Mrs Michelle Holder
Chair of Board of Governors:	Mr Hugh Venables
Clerk to the Board of Governors:	Mr William Wyatt
Chair of the Board of Trustees:	Mr Jeremy Sinclair

All of the above named can be contacted at the School's registered address:

Proprietors:

Board of Trustees
The Independent Educational Association Ltd
St James Schools
Earsby Street
London
W14 8SH

To contact the Senior Girls' School use the address above or the contact details below:

tel: 020 7348 1752 e-mail: schoolsec@sjsg.org.uk