



BCS Policy:

Complaints Policy

Date: April 2019

COMPLAINTS PROCEDURE

Our Obligations

*The Education (Independent School Standards) Regulations 2014 judges the school as follows:
The manner in which complaints are handled:*

33. The standard about the manner in which complaints are handled is met if the proprietor ensures that a complaints procedure is drawn up and effectively implemented which deals with the handling of complaints from parents of pupils and which—

(a) is in writing;

(b) is made available to parents of pupils;

(c) sets out clear time scales for the management of a complaint;

(d) allows for a complaint to be made and considered initially on an informal basis;

(e) where the parent is not satisfied with the response to the complaint made in accordance with sub-paragraph (d), establishes a formal procedure for the complaint to be made in writing;

(f) where the parent is not satisfied with the response to the complaint made in accordance with sub-paragraph (e), makes provision for a hearing before a panel appointed by or on behalf of the proprietor and consisting of at least three people who were not directly involved in the matters detailed in the complaint;

(g) ensures that, where there is a panel hearing of a complaint, one panel member is independent of the management and running of the school;

(h) allows for a parent to attend and be accompanied at a panel hearing if they wish;

(i) provides for the panel to make findings and recommendations and stipulates that a copy of those findings and recommendations is—

(i) provided to the complainant and, where relevant, the person complained about; and

(ii) available for inspection on the school premises by the proprietor and the head teacher;

(j) provides for a written record to be kept of all complaints that are made in accordance with sub-paragraph (e) and—

(i) whether they are resolved following a formal procedure, or proceed to a panel hearing; and

(ii) action taken by the school as a result of those complaints (regardless of whether they are upheld); and

(k) provides that correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

INTRODUCTION

The Branch Christian School takes all complaints seriously. The purpose of the Complaints Procedure is to reassure you and others with an interest in the school that:

- Any complaint against the school will be dealt with in a fair, open and responsive way, with the aim of achieving a speedy and satisfactory resolution
- The school recognises that a willingness to listen to questions and concerns and to respond positively, can lead to improvements in school practices and provision for pupils.

This procedure has been drawn up using the *The Education (Independent School Standards) Regulations, 2014, as quoted above*, to ensure that the school deals with the handling of complaints from parents of pupils effectively.

This policy is available to all parents of pupils on our website or from the school office.

SCOPE OF THE PROCEDURE

A complaint is defined as a clear statement of dissatisfaction about any specified aspect of the school's work. This procedure deals with specified day-to-day complaints against the management and/or operation of the school which fall outside the scope of the following procedures:

- Complaints which have an alternative statutory avenue of appeal or complaint, i.e. admissions, exclusions, SEN assessments, Section 409 Curriculum Complaints and those covered by the Education (School Records) Regulations 1989.
- Serious complaints which must be dealt with by specific employment procedures e.g. allegations of professional abuse, criminal offences or those that are potentially staff disciplinary issues.

Complainants may be anyone e.g. parents, guardians, grandparents, neighbours of the school or anyone with an interest in the work of the school. However, it is expected that it will be mainly parents or guardians who will make use of this procedure. The term 'parent' is therefore used throughout the procedure as a generic term but the procedure also applies in relation to any other type of complainant. Informal complaints may be made by telephone, e-mail, in person or be written. Formal complaints should be made in writing a letter in the event that you are not satisfied with the response to the complaint when it was considered on an informal basis (see 33.(d) and (e) above).

Records of all conversations and meetings with you to resolve formal complaints will be kept. If necessary the Governors will meet to discuss the complaints and minutes will be taken.

To help prevent recurring complaints, copies of correspondence and notes will be kept on file in the school's records, separately from individual pupil records.

If at any stage in the procedure it becomes apparent that the complaint falls outside of this general complaints procedure, you will be informed.

There may be rare occasions when, despite all the stages of the procedure having been followed, you remain dissatisfied. If you seek to re-open the same issue, the school reserves the right to inform you in writing that the procedure has been exhausted and the matter is closed. However, you have the right to refer the complaint to the Secretary of State for Education as you will see later.

All 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 162A of the 2002 Act requests access to them.

INFORMAL STAGE

The *Complaints Standards* state that a Complaints Procedure should “allow for a complaint to be made and considered initially on an informal basis.”

On occasions, you may raise a concern directly with school staff without any formality. If a member of staff is approached about a concern they will ask if a meeting can be arranged at the earliest opportunity with the person who this concerns so that an opportunity to resolve the issue can be dealt with informally. Many times the person is likely to be available and this can be done straight away; it is important that the person themselves is given the chance to deal with this informally and so we ask you to respect that and not discuss matters with staff who are not involved. At this stage, it may be unclear whether you are making a complaint, seeking information or have misunderstood a situation. In any effect, the school aims to resolve the concern at this point in a speedy and effective way.

The member of staff will discuss the issue with you and those involved in school, with the aim of resolving the complaint as soon as possible. You will be informed of the outcome of the investigation and what action, if any, the school proposes to take. The matter should be dealt with within 10 school days of the complaint.

If the informal process has been exhausted and no satisfactory solution has been found, you may choose to send a written complaint to the Head Teacher or Chair of Governors.

Complaints to the Head Teacher or Chair of Governors **cannot** be accepted by email.

If wishing to proceed with the complaint, you will need to put the complaint in writing to the Head Teacher. The letter should be sent to the Head Teacher within 10 school days of the unsuccessful informal attempt to resolve the matter.

FORMAL STAGE 1: REFERRAL TO THE GOVERNORS OR HEAD TEACHER FOR FURTHER INVESTIGATION

If the concern is not resolved within 10 school days after attempting to resolve it informally, and a complaint is confirmed in writing by yourself, the opportunity to discuss the matter with an appropriate member of staff will be given e.g. Head Teacher, Administrator, and Supervisors. In the case of complaint against the Head Teacher or Administrator you must write to the Chair of Governors.

Where you have been addressed by the Head Teacher at the informal stage, this stage will be heard by the Governors. Where another staff member has addressed the complaint at stage one, this stage will be heard by the Head Teacher.

In any correspondence you must state clearly:

- The precise nature of the complaint.
- The steps taken so far to resolve the complaint.
- The action that you would like to see taken to resolve the complaint.

The Governors, Head Teacher or Administrator will acknowledge the written complaint within 10 school days of receipt and provide an opportunity to meet you to discuss the complaint.

The Governors or Head Teacher will investigate the complaint and a written response will normally be made within 10 school days of receipt of the complaint. If this is not possible, a letter will be sent to you explaining the reason for the delay and providing a revised target date.

The written response will include full reasons for the conclusions reached by the Governors or Head Teacher and what action, if any, the school proposes to take to resolve the matter.

If you still remain dissatisfied, you will be advised that, in order to progress the complaint further at Stage 3, you must notify the Governors in writing within 10 school days, copying the original letter of complaint.

The Governors will then ensure that you are offered the opportunity of taking the complaint to a Complaints Panel at Formal Stage 2 of this Procedure.

STAGE 2: REVIEW BY THE GOVERNORS COMPLAINTS PANEL

Complaints only rarely reach this level. However, when the need arises, the Complaints Panel will consider complaints at this stage. If the complaint is still not successfully resolved after steps one and two a panel will be set up by the Governors of at least three persons, one of whom is independent of the management and running of the school, to discuss the complaint.

A written acknowledgement of the complaint and the request for it to be heard at Stage 3 (Formal Stage 2) of the Procedure will be sent to you by the Complaints Panel within 5 school days.

The letter will inform you that the complaint will be heard by the Complaints Panel within 15 school days of receiving the complaint. It will also inform you of the right to submit any further documents other than the complaint form and that these must be made available to the Complaints Panel at least 5 school days before the meeting of the panel takes place. The right to call witnesses to the meeting, subject to the approval of the Complaints Panel and your right to be accompanied by a companion of your choice will also be explained in the letter. You have the right to attend and be accompanied at a panel hearing if you wish.

The Complaints Panel will send a copy of the letter of acknowledgement of the complaint to all the members of the Complaints Panel, the Head Teacher and the Administrator and request a written report in response to the complaint to the Complaints Panel within 5 school days of receipt of the letter. The right to call witnesses, subject to the approval of the Chair, will also be explained.

The Complaints Panel is free to make its own findings and recommendations prior to the meeting.

The Complaints Panel will then convene a meeting, having consulted with all parties on convenient times. The date, time and venue for the meeting will then be confirmed at least 5 school days in advance.

The names of all parties and witnesses (if any) to attend the meeting and all relevant documents to be referred to at the meeting will also be provided by the Complaints Panel to: yourself; the Chair of the Governors and/or Head Teacher; and each panel member. This will be provided as soon as possible and, in any event, at least 5 school days prior to the meeting.

The meeting will be held following procedures which you may request from the Head Teacher, Chair of the Governors or school Administrator.

A written decision will be sent to you and the Complaints Panel and/or Head Teacher within 5 school days of the hearing. The letter will explain that the decision of the Complaints Panel is final but that complaints can be taken to the Secretary of State for Education and Skills under the Education Act 1996, on the grounds that:

- A Governing Body is acting or proposing to act unreasonably; or
- The Governing Body has failed to discharge its duties under the Act.

All outcomes and copies of those findings and recommendations are confirmed in writing to both parties in accordance with the Complaints Procedure. This may be via electronic mail or otherwise given to the complainant and, where relevant, the person complained about; and made available for inspection on the school premises by the proprietor and the Head Teacher.

Records will be kept on file from the date of the resolution of the complaint plus 6 years, and of whether they are resolved at the preliminary stage or proceed to a panel hearing in the 'Complaints' folder at the school. All 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 162A of the 2002 Act requests access to them.

The following summary of the Complaints Procedure will be included in the Parent Handbook in it's next edition.

SUMMARY OF THE COMPLAINTS PROCEDURE

- Informal** All informal complaints should be made by telephone, e-mail, in person or written to the staff involved. If this is pertinent to a particular member of staff then they will be given the opportunity to deal with the complaint informally. The matter should be dealt with within 10 school days of the informal complaint.
- Formal** If the complaint is not successfully resolved after this, the complaint should be written to the Head Teacher or the Administrator, within 10 days, again via the office.
The written complaint will be acknowledged within 10 school days.
The matter should be dealt with within 10 school days of the Head Teacher or the Administrator receiving the written complaint.
- Panel** If the complaint is still not successfully resolved after step one and step two, the Governors must be contacted in writing within 10 school days, copying the original letter of complaint.
A panel will be set up by the Chair of Governors of at least two persons, one of whom is not a school manager, to discuss the complaint.
The complaint will be heard by the Complaints Panel within 15 school days of receiving the complaint
Parents will be allowed to attend the panel. A friend may accompany them.
The matter should be dealt with within 5 school days of the panel meeting.
The panel will put its findings and recommendations in writing.
All parties will get a copy.
Records will be kept on file in accordance with Government Retention Guidelines (currently from the date of the resolution of the complaint plus 6 years)
and the final level needed to sort the matter,

Confidentiality will be provided for all of the above.

Policy Review Information:

Review date	Changes made	By whom	Date of next review
November 2018 April 2019	Addition of documenting complaints section MOD from CEE dated Feb 2019 - Addition of sight of the requirements of the ISS Split into this 'complaints policy' for all and procedures for staff and governors.	Mr S Thomas Mrs J Holt	September 2020 September 2020
April 2019	None		

