

*This school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.*



**PARKSIDE**  
SCHOOL

**Edition: 17 April 2020**

## **COMPLAINTS POLICY AND PROCEDURE**

**This policy is applicable to the whole school,  
including the Early Years Foundation Stage (EYFS)**

### **References:**

ISI: Commentary on the Regulatory Requirements 2019-09 (September 2019)  
Independent Schools Standards Guidance for Independent Schools, April 2019  
Working Together to Safeguard Children (August 2018) (*WT*)  
Statutory Framework for the Early Years Foundation Stage (Childcare Act 2006) (revised April 2017)  
Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015  
Education (Independent Schools Standards) (England) Regulations 2014 as amended by the Independent Education Provisions in England (Inspection Fees) and Independent School Standards (Amendments) 2018 (*ISS Regulations*)  
Section 109 of the Education and Skills Act 2008

### **1. Introduction**

Parkside School (the School) is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of children and young people.

### **2. Scope of this Policy**

The School has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents (Parent(s) means the holder(s) of parental responsibility for a current or prospective pupil about whom the complaint relates) do have a complaint, they can expect it to be treated by the School with care and in accordance with this Complaints Policy.

### **3. Aims**

The School makes its Complaints Policy available to all parents of pupils and of prospective pupils on the School's website and in the School office during the school day, and the School will ensure that parents of pupils and of prospective pupils who request it are made aware that this document is published or available and of the form in which it is published or available, and of the number of complaints registered under the formal procedure during the preceding school year. In accordance with the latest iteration of the ISS Regulations, the School will also make available, on request, to Ofsted, the Department for Education (DfE) or the Independent Schools Inspectorate (ISI), details of this Policy and the number of complaints registered under the formal procedure during the preceding school year.

### **Links to other policies**

- Discipline & Behaviour Management Policy
- Data Protection policies
- Equal Opportunities Policy
- Exclusion Policy
- IT Acceptable Use Policy
- Parent Contract
- Privacy Notice Policy
- Remote Learning Policy
- Safeguarding Policy
- Whistleblowing Policy

### **4. What constitutes a Complaint?**

A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the School as a whole, about a specific department or about an individual member of staff, and any matter about which a parent is unhappy and seeks action by the School is within the scope of this Policy. A complaint is likely to arise if a parent

believes that the School has done something wrong, failed to do something that it should have done or has acted unfairly.

Parents can be assured that all complaints will be treated seriously and confidentially. The School is here for your child and you can be assured that your child will not be penalised for a complaint that you (or your child) raises in good faith.

## **5. The three-stage Complaints Procedure**

### **Stage 1 – Informal Resolution**

- It is hoped that most complaints will be resolved quickly and informally.
- If a parent have a complaint they should normally contact their son/daughter's Form Teacher/Key Person. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Form Teacher/Key Person cannot resolve the matter alone, it may be necessary for him/her to consult the Head of Department, Head of Year or the Deputy Head.
- Complaints made directly to the Head of Department, Head of Year or the Deputy Head will usually be referred to the relevant Form Teacher/Key Person unless the Head of Department, Head of Year or the Deputy Head deem it appropriate for them to deal with the matter personally.
- The appropriate member of staff mentioned above will make a written record of the complaint and the date on which it was received. Should the matter not be resolved **within 5 working days** or in the event that the member of staff dealing with the matter 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.
- If, however, the complaint is against the Head, the parent should make their complaint known to the Governor with responsibility for Parent Liaison: Pauline Stoffberg – pauline@stoffberg.co.uk.

### **Stage 2 – Formal Resolution**

- If the complaint cannot be resolved on an informal basis, then the parent should put their complaint in writing to the Head. The Head will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Head will meet/speak to the parents concerned, **within 5 working days** of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- It may be necessary for the Head to carry out further investigations.
- The Head will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Head is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The Head will also give reasons for reaching this decision. In most cases, the Head will make the decision and provide the parents with reasons **within 10 working days** of the complaint being put in writing.
- If the complaint is against the Head, the complaint should be made to the Chair of Governors: Robin Southwell – southwellr@parkside-school.co.uk.
- The Chair of Governors or their nominee will call for a full report from the Head and for all the relevant documents. The Chair of Governors or their nominee 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 or their nominee 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 or their nominee will give reasons for their decision.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

### **Stage 3 – Panel Hearing**

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they should do so in writing to the Clerk to the Panel **within 5 working days** of receiving the decision at Stage 2, setting out their grounds for appeal. Any supporting evidence which the parents wish to rely on should also be provide with their grounds for appeal.
- The Clerk to the Panel, who has been appointed by the Governors to call hearings of the Complaints Panel, will then refer the appeal to the Complaints Panel for consideration. The Panel will consist of three persons not directly involved in the matters detailed in the complaint and one of whom shall be independent of the management and running of the School. The Complaints Panel will appoint one of the Panel members to act

as the Chair of the Panel. He or she, on behalf of the Panel, will then acknowledge the complaint **within 5 working days** and schedule a hearing to take place **within 15 working days**.

- If the Panel deems it necessary, it may require (in writing) that further particulars of the complaint or any other related matter be supplied in advance of the hearing or further investigation be carried out. Copies of such particulars shall be supplied to all parties **not later than 5 working days** prior to the hearing.
- The parents may attend the hearing and be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.
- The parents may attend the hearing and be accompanied to the hearing by one other person if they wish. The Head shall also be entitled to be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not normally be appropriate. The Panel will decide whether it would be helpful for witnesses to attend.
- 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 make findings as to whether or not the Stage 2 decision was a reasonable one and accordingly decide whether to:
  - Dismiss the complaint(s) in whole or in part;
  - Uphold the complaint(s) in whole or in part; and
  - May make recommendations.
- The Panel will write to the parents informing them of its decision and the reasons for it, **within 5 working days** of the hearing (although additional time may be required if it is necessary to carry out further investigations following the hearing). The decision of the Panel will be final. A copy of the Panel's findings and recommendations (if any) will be sent by electronic mail or otherwise given to the parents, and, where relevant, the person complained about as well as the Chair of Governors and the Head. A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the School premises by the Chair of Governors and the Head.
- In the event that the parents subsequently do not want to proceed with their complaint (for whatever reason) the Panel should still meet and consider and issue findings on the substance of the complaint thereby bringing the matter to a conclusion.

## **6. Time frame for dealing with Complaints**

All complaints will be handled seriously and sensitively and within clear and reasonable timescales.

It is in everyone's interest to resolve a complaint as speedily as possible: the School's target is to complete the first two stages of the procedure **within 20 working days**. Stage 3 will be completed **within a further 30 working days**.

Please note that, for the purposes of this procedure, 'working days' refers to weekdays (Monday to Friday) during term times excluding bank holidays. This means that during School holidays it may take longer to resolve a complaint although the School will do what is reasonably practicable to avoid undue delay.

## **7. Recording Complaints and use of personal data**

Following resolution of a complaint, the School will keep a written record of all complaints, whether they are resolved at Stage 1 (informal stage), the formal stage (Stage 2) or proceed to a Panel hearing (Stage 3) and any action taken by the School as a result of the complaint (regardless of whether the complaint is upheld).

The School processes data in accordance with its Privacy Notice. When dealing with complaints the School (including any Panel member appointed under the Stage 3 process) may process a range of information, which is likely to include the following:

- Date when the issue was raised
- Name of parent
- Name of pupil
- Description of the issue
- Records of all the investigations (if appropriate)

- Witness statements (if appropriate)
- Name and contact details of member (s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations)
- Notes and minutes of the hearing, and
- The Panel’s written decision.

This may include ‘special category personal data’ (as further detailed in the School’s Privacy Notice and Data Protection Policy, but potentially including, for instance, information relating to physical or mental health) where this is necessary owing to the nature of the complaint. This data will be processed in accordance with the School’s Data Protection Policy.

The School will keep records of formal complaints and Complaints Panel hearings, as required by regulation. It will do so in accordance with its Privacy Notice, Data Protection Policy and Storage and Retention of Records Policy.

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 109 of the Education and Skills Act 2008 requests access to them.

**8. Additional EYFS requirements**

Parents of EYFS children should follow the three stages of this Complaints Procedure. If parents remain dissatisfied and their complaint is about the School’s fulfilment of the EYFS requirements, then parents may take their complaint to the ISI or Ofsted. Parents will be notified by ISI or Ofsted of the outcome of the investigation into their complaint **within 28 days** of the complaint being received.

The School will provide ISI/Ofsted, on request, with a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint. The record of any such complaints will be kept in accordance with its Privacy Notice and Storage and Retention of Records Policy.

Parents may complain directly to Ofsted or to ISI if they believe the provider is not meeting the EYFS requirements. Schools must make available details of how to contact Ofsted and/ or the ISI:

OFSTED  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

ISI  
CAP House  
9-12 Long Lane  
London  
EC1A 9HA

Telephone number: 0300 123 1231  
Email: enquiries@ofsted.gov.uk

Telephone number: 0207 600 0100  
Email: concerns@isi.net

**9. Monitoring, Evaluation and Review**

This Policy is monitored, evaluated and reviewed on an annual basis by the Senior Leadership Team.

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<b>Reviewed:</b>	<b>Spring Term 2020</b>
<b>Approved by the Board of Governors: 15.4.20</b>	
<b>Next review:</b>	<b>Summer Term 2021</b>