



Cothill House Policy Documents

ISSR 33 Parental Complaints Procedure

NMS for Boarding: 18.1, 18.2

Date: December 2020
Next review: December 2021

Introduction

- The Cothill Trust has long prided itself on the quality of the teaching and pastoral care provided to its pupils in its schools. However, if parents do have a complaint, they can expect it to be treated by the School with care and in accordance with this Complaints Procedure. Trust Schools make the Complaints Procedure available to all parents of pupils and of prospective pupils on the School's website, and will ensure that parents of pupils and of prospective pupils who request it are made aware that this document is published or available.
- Complaints by parents of former pupils will be dealt with under this Complaints Procedure only if the complaint was initially raised when the pupil to which the complaint relates was still registered as a pupil at the School.
- This complaint procedure does not apply to complaints concerning pupil exclusions.
- Trust Schools will make available to parents of pupils and of prospective pupils and provide, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate, details of the School's Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year.
- "Parent(s)" means the holder(s) of parental responsibility for a current pupil about whom the complaint relates.

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 procedure. 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 concerns and 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) raise(s)] in good faith.

Timeframe for Dealing with Complaints

- Please note that, for the purposes of this procedure, time-frames are measured in normal school working days (i.e. weekdays (Monday to Friday) during term time, excluding bank holidays).
- All complaints will be handled seriously and sensitively. They will be acknowledged within 5 days if received during term time and as soon as practicable during holiday periods.
- 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, the Appeal Panel Hearing, will be completed within a further 20 working days, with the panel report findings and recommendations being issued within 10 working days following the panel hearing.
- Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, the school will regard this as vexatious and outside the scope of this policy.

COVID-19 arrangements

Please note that these timeframes may be affected by provisions relating to COVID-19 and meetings. However, the school will keep parents informed and work with them to resolve the complaint as soon as practicably possible. Some proceedings may have to take place digitally.

The three-stage Complaints Procedure

Stage 1 – Informal Resolution

- It is hoped that most complaints and concerns will be resolved quickly and informally.
- If parents have a complaint they should normally contact their son/daughter's Form teacher. In many cases, the matter will be resolved straight away by this means to the parents' satisfaction. If the Form teacher cannot resolve the matter alone it may be necessary for him/her to consult the Deputy Head.
- Informal complaints made directly to the Deputy Head/the Head will usually be referred to the relevant Form teacher unless the Deputy Head/the Head deems it appropriate for him/her to deal with the matter personally.
- The Form teacher 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 5 working days or in the event that the Form teacher 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 Complaints Procedure.
- If, however, the complaint is against the Head, parents should make their complaint directly to the Chief Executive of the Cothill Trust whose contact details are available from the School on request.

Stage 2 – Formal Resolution

- If the complaint cannot be resolved on an informal basis then the parents 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, or their nominee, 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 reasonably 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 his/her decision.
- If the complaint is against the Head, the complaint should be made to the Chief Executive. The Chief Executive will call for a full report from the Head and for all the relevant documents. The Chief Executive 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 Chief Executive is satisfied that, so far as is reasonably practicable, all of the relevant facts have been established, the parents will be informed of the decision in writing. The Chief Executive 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.

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 Chief Executive who has been appointed by the Chair of Trustees to call hearings of the Complaints Panel.
- The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of three persons who were not directly involved in the matters detailed in the complaint, at least one of whom is independent of the management of the School. The Chief Executive on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place within 20 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 5 working days prior to the hearing.
- The parents may attend the hearing and be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not be appropriate.
- The manner in which the hearing is conducted shall be at the discretion of the Panel chair.
- If possible, the Panel will resolve the parents' complaint 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 and may make recommendations.
- The Panel will write to the parents informing them of its decision and the reasons for it, within 10 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 will be sent by electronic mail or otherwise given to the parents, and, where relevant, the person complained about as well as the Chairman of the Trustees and the Head. A copy of the panel's findings and recommendations is retained on the school premises for inspection by the proprietor and the head.

Recording Complaints and use of personal data

Following resolution of a complaint, the School will keep a written record of all formal complaints, whether they are resolved at the informal stage, the formal stage or proceed to a panel hearing 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 <https://www.cothilltrust.org/about-us/data-protection>. 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
- Whether the complaint relates to boarding provision
- Description of the issue
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name 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 of the hearing
- The Panel's written decision

This may include 'special category personal data' (as further detailed in the School's Privacy Notice, but potentially including sensitive data such as information relating to physical or mental health) where this is necessary owing to the nature of the complaint.

The School will keep records of formal complaints and Complaints Panel hearings. DfE has advised that complaints which do not have safeguarding implications should be retained for a minimum of 7 years (a period determined by the 6-year inspection cycle with allowance for unforeseen circumstances). Where there is a safeguarding angle, 'Records concerning allegations of abuse must be preserved for the term of the Independent inquiry into Child Sexual Abuse and at least until the accused has reached normal pension age or for 10 years from the date of the allegation or longer.' (ISSR Part 3, Paragraph 7 (219))

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.

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 for at least 7 years. (See above.)

Parents may complain directly to Ofsted or to the Independent Schools Inspectorate (ISI) if they believe the provider is not meeting the EYFS requirements.

Ofsted may be contacted by writing to:

OfSTED
Piccadilly Gate,
26-32 Store Street,
Manchester
M1 2WD

or by phone 0300 1234 234

or by email: enquiries@ofsted.gov.uk

ISI may be contacted by writing to:

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

or by phone 020 7600 0100

or by email: concerns@isi.net

For the academic year 2019-20 the School received **2** complaints at stage 2 or above.