

**CITY OF ROCHESTER SCHOOL  
COMPLAINTS PROCEDURE FOR PARENTS**

*This policy, which applies to the whole school, and upon request a copy (which can be made available in large print or other accessible format if required) may be obtained from the School Office. This policy is also publically available on the school website*

**Monitoring and Review:** This procedure is subject to continuous monitoring, refinement and audit by the Headteacher to ensure that all complaints are handled properly. The Trustees will undertake a full annual review of this procedure, inclusive of its implementation and the efficiency with which the related duties have been discharged. Any deficiencies or weaknesses will be remedied immediately and without delay.

Signed:

Date Reviewed: July 2020  
Date of Next Review: July 2021  
Version No. 2  
Policy No 10:001



Alicja Emmett  
Headteacher



Claire Cooper  
Chair of Trustees and Safeguarding Trustee

This policy will be reviewed no later than July 2021, or earlier if changes in legislation, regulatory requirements or best practice guidelines so require.

**Introduction:** The City of Rochester School defines a complaint as any matter about which a parent of a pupil is unhappy and seeks action by the school. A complaint is likely to arise when there are issues of physical or emotional wellbeing and security at stake, or when the school's stated aims or values are being ignored. A breach of the law will always constitute a complaint.

City of Rochester School aims to be a listening and responsive school. We encourage pupils, parents and staff to inform us of their concerns while they are still minor ones which can more easily be resolved. City of Rochester School takes seriously complaints and concerns as they arise. City of Rochester School gives careful consideration to all complaints and will deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed and then resolved. Throughout the process, City of Rochester School will be willing to: listen, learn, admit mistakes, apologise if appropriate, address any issues raised and change practices and procedures if appropriate.

**How Should I Complain and to Whom?** Parents can email, write, telephone or talk directly to a member of staff. Please be as clear as possible about what is troubling you. Any member of staff will be happy to help. It is usually best to start with the person most closely concerned with the issue as they are likely to be able to sort things out quickly. However, parents may prefer to take the matter to Alicja Emmett the Headteacher. The Headteacher will determine who is best positioned to handle the complaint and will redirect the complaint if necessary.

**Timescales:** All complaints will be handled seriously and sensitively. The complaint will normally be resolved within twenty eight (28) days of the lodging of the complaint to its resolution whenever possible. Allowable exceptions to this rule are for instances when persons involved in the complaint are unavailable during holiday periods. In this case the parents will be kept informed. However, as far as possible, the meeting should not be delayed if the referral comes at the end of term, especially at the end of the Summer Term. Since the aim of the procedure is to resolve the issue and effect reconciliation if necessary, it will be best if the matter can come to the Panel as quickly as possible, especially if the parents will already have been engaged over a longer period in attempts to put things right.

**Statement on Dealing with Complaints**

- If parents have a complaint they can expect it to be treated by the school in accordance with this procedure.
- We believe that all complaints which we receive should be treated seriously and investigated fully and fairly. The School will always try to resolve complaints informally and in an amicable fashion where possible. The School's Complaints Procedure is divided into Informal, Formal and Appeals Stages and it is expected that the majority of complaints will be resolved quickly at the Informal Stage.

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- Complaints will be dealt with on as confidential a basis as possible but it may be necessary for the person who first receives a complaint to discuss it with those who can resolve it, so anonymity and total confidentiality cannot be guaranteed. No one will receive adverse treatment as a result of having a complaint or because someone else has raised a complaint on their behalf.
- In situations concerning alleged abuse, the Child Protection Procedures take precedence over the complaints procedure. Separate procedures will also apply if the Headteacher excludes or requires the removal of a child from the School and the parents seek a review of that decision.

### **Stage 1 – Informal Stage of Complaints Procedure** *(References to the number of working/school days refer to term-time only)*

- It is hoped that most complaints and concerns will be resolved quickly and informally if parents feel able to voice them as soon as they arise. In most cases, discussion, explanation, further information or an apology, if appropriate, will resolve any issues. Every effort will be made to allay concerns at this stage and with the least possible formality achieving through open dialogue a satisfactory resolution.
- If a parent wishes to make a complaint, they should usually contact the member of staff concerned, such as the teacher, therapist or administrator (if it is an administrative or procedural matter), in the first instance. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction.
- The member of staff will make a written or electronic record of the complaint, the date on which it was received and any action taken as a result.
- If a meeting or telephone call with the relevant member of staff does not result in a solution then the complaint may be taken directly to the Deputy Headteacher or the Headteacher. The Deputy/Headteacher may then refer back to the relevant member of staff unless the Deputy/Headteacher deems it appropriate for them to deal with the matter personally.
- The parent(s) will hear back from the Deputy/Headteacher within five (5) working school days.
- Not all written concerns or complaints are intended by parents to be formal and so invoke the formal process. Hence, the person to whom the concern or complaint is addressed will check with the parents whether or not they wish to invoke the formal process at that point. If not, then the written communication will be dealt with informally within the scope of a Stage 1 Complaint.
- Should a parent have a complaint about the Headteacher, the parent should contact the Headteacher informally to discuss the matter.
- In the event that a satisfactory resolution is not reached, or the matter not resolved within seven (7) working school days, then the parent(s) will be advised to proceed with his/her complaint in accordance with stage 2 of this procedure.

### **Stage 2 – Formal Stage of Complaints Procedure** *(References to the number of working/school days refer to term-time only)*

- If the complaint cannot be resolved on an informal basis then the parents should put their complaint in writing to the Headteacher who will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Headteacher will speak to the parents concerned, normally on the day of receiving the complaint, so as to discuss the matter. If possible, a resolution will be reached at this stage.
- The Headteacher will:
  - establish what has happened so far and who has been involved; clarify the nature of the complaint and what remains unresolved;
  - meet with the parent(s) or contact them clarifying what they feel would resolve the issue;
  - interview those involved, allowing them to be accompanied if they wish and
  - conduct each interview with an open mind and be prepared to persist in questioning and keep notes of each interview.
- Within five (5) school days of receiving the complaint, the Headteacher will complete the investigation and contact the complainant to arrange a meeting. At any point in the process the Headteacher may decide or agree to commission a further investigation. If this occurs, the timescale may be extended by a further five (5) school days and the complainant will be informed in writing of the extension and the reason for it.
- When the investigation is complete, the Headteacher will meet the complainant to try to resolve the complaint. Any of the following may be appropriate at this point:
  - an acknowledgement that the complaint is valid in whole or in part; an apology; an explanation; clarification of any misunderstanding; an admission that the situation could have been handled better or differently;
  - an assurance that the event complained of will not recur; an explanation of the steps that have been taken to ensure it will not be repeated and
  - an undertaking to review school policies in light of the complaint.
- Once the Headteacher is satisfied that, so far as is practicable, that all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The Headteacher will give reasons for the decision. A written record will also be kept of when a final outcome was reached.
- The Headteacher will keep written records of all meetings and interviews held in relation to the complaint.
- Should parents have a complaint about the Headteacher it must be put in writing to the Headteacher who investigates in the same way as with any other complaint.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Procedure.

### **Stage 3 – Complaints Panel Procedure** (*References to the number of working/school days refer to term-time only*)

- If parents seek to invoke stage 3 (following a failure to reach an early resolution of this procedure) they will be referred to the Panel Convenor who has been appointed by the Trustees to call hearings of the Complaints Panel. Parents will be asked to provide the specifics of the complaint in writing, which should include the nature of the complaint and how the school has handled it so far.
- The contact details for the Panel Convenor: Mrs Sheila Humphrey, Clerk to the Trustees, City of Rochester School, Bradbury House, View Road, Cliffe Woods, ME3 8UJ.
- The Panel will consist of at least three people appointed by the Chair of Trustees not directly involved in matters detailed in the complaint, one of whom shall be independent of the management and running of the school. The Panel may therefore include at least two members of the Board of Trustees. The Department for 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 scrutinising evidence and putting forward balanced arguments would be suitable. Examples of persons likely to be suitable are serving or retired business people, 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.”* Each of the Panel members shall be appointed by the Chair of Trustees.
- The Panel Convenor, on behalf of the Panel, should agree with all parties the date of the Appeal Meeting within five (5) school days of receipt of the written referral of the complaint. The meeting itself should be held within twenty (20) school days of the receipt of the referral. If the complainant or Headteacher wishes to submit information in writing to the Panel this should be sent to the Panel Convenor at least seven (7) days before the date of the hearing.
- Complainants are free to make their complaint in writing rather than attend the meeting of the panel personally.
- If the Complaints 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 five (5) days prior to the hearing.
- The complainant(s) may be accompanied to the hearing. This may be a relative or friend.
- If possible, the Complaints Panel will resolve the parent’s complaint immediately without the need for further investigation.
- Where further investigation is required, the Complaints Panel will decide how it should be carried out. After due consideration of all facts they consider relevant, the Complaints Panel will reach a decision and may make findings and recommendations, which it shall complete normally within five (5) days of the Hearing.
- A copy of the Panel’s decision, findings and any recommendation and the reasons for them will be:
  - Sent by electronic mail or otherwise given to the complainant and, where relevant, the person or persons complained about; and
  - Available for inspection on the school premises by the Chair of Trustees and the Headteacher.
- As far as possible, the meeting should not be delayed if the referral comes at the end of term, especially at the end of the Summer Term. Since the aim of the procedure is to resolve the issue and effect reconciliation if necessary, it will be best if the matter can come to the Panel as quickly as possible and so a panel hearing may need to take place during the school holiday period.
- The Complaints Panel’s findings, and, if any recommendations and the reasons for them, will be sent by electronic mail or in writing to the parents and, where relevant, the person complained about. These findings and recommendations will be available for inspection on the school premises and kept by the Trustees and the Headteacher for at least three (3) years. The decision of the panel will be final.
- City of Rochester School will take the Complaints Panel findings seriously and will make appropriate changes to policies, procedures and practices as a result

There is no further internal stage for any complaint should a parent remain dissatisfied with the outcome. In such a case any aggrieved parent may wish to make a complaint to Ofsted whose contact details are: Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD Telephone: 03001231231 Web: [www.ofsted.gov.uk](http://www.ofsted.gov.uk) Email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

#### **The role of the Panel Convenor is to:**

- confirm to all parties in writing the date, time and venue of the hearing; to receive and distribute any documentation to be read before the hearing; to meet and welcome all parties as they arrive at the hearing;
- make a fair summary record of the proceedings, noting any specific details requested by the complainant or panel and
- notify all parties of the Panel’s decision. The wording of any letters will be agreed with the Chair of the Panel.

#### **The role of the Chair of the Panel is to ensure that:**

- appropriate procedure to allow a full and fair hearing is properly followed;
- the procedure for the hearing of the complaint is explained to all parties and that they have the opportunity to put their case without undue interruption;
- the issues are addressed; all parties are put at ease, especially those who are unfamiliar with such a hearing;
- proceedings are kept as informal as possible and that everyone treats each other with respect and courtesy and
- the Panel operates in an open-minded and independent way and time is given for all parties to consider ‘new’ evidence.

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**The Panel may decide upon one or more of the following actions:**

- uphold the complaint in whole or in part;
- dismiss the complaint in whole or in part and
- decide on an appropriate action to be taken to resolve the complaint or recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not re-occur.

After the Panel has come to a decision, the Chair of the Panel agrees with the panel convenor the wording of the letter to be sent to both parties. The Panel Convenor will: provide the written record of the meeting for the Chair of the Panel: ensure that the letter of decision is sent out in accordance with the agreed time scales and procedures as stated above; and ensure that any consequent recommendations to change school policies or procedures is put on the agenda for the next meeting of the Board of Trustees. A summary record of the concern or complaint, its resolution and any action taken as a result will be made.

**Confidentiality, records and other matters:** Parents are assured that all concerns and complaints will be treated seriously and confidentially. Such 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 162A of the 2002 Act requests access to them; or where any other legal obligation prevails.

A written record of all complaints whether they are resolved at the informal stage or following a formal procedure, or proceeding to a panel hearing, is kept by the Headteacher for a minimum of three years. The record regardless of the outcome of the complaint includes, at least: the person making the complaint, the date of the complaint, the nature of the complaint, any action taken and the outcome of the complaint (regardless of whether they are upheld). The written record will include the date when a final outcome was reached. The Headteacher will examine this written record on a termly basis and the Trustees on an annual basis. The school will provide, on request to OFSTED or to any other inspectorate carrying out an inspection on behalf of the Secretary of State for Education, a written record of all complaints made during a specified period and the action that was taken as a result of each complaint.

The number of formal complaints, received in an academic year, is made available to parents. The number of complaints registered under the formal procedure during the last school year (2019-2020) has been 0.

Any concern or complaint which involves a potential child protection or safeguarding issue must be made in accordance with the school's Safeguarding Policy immediately to the Designated Safeguarding Lead who is the Headteacher. Any appeal against the exclusion of a pupil may be made to the Chair of the Board of Trustees with reference to the school's Behaviour Management Policy.

**Summary of Complaints Procedures**

- **Concern:** Please do raise these with the school so that they can be resolved as quickly as possible.
- **Informal Complaint:** Any significant or persistent concerns should be discussed with those involved. It is hoped that most problems can be dealt with in this way.
- **Formal Complaint:** A formal complaint is one made in writing and addressed directly to the Headteacher.
- **Appeals:** Where the complainant is not satisfied with the response to their written complaint, the Trustees will make provision for a hearing before a panel of at least three people who are not directly involved in the matters detailed in the complaint.

**Legal Status**

This procedure, which applies to the entire school, incorporates the manner in which complaints are to be managed, in accordance with:

- Part 7, paragraph 33 (a) to (k) inclusive of The Education (Independent School Standards) (England) Regulations currently in force along with
- Part 6 Paragraph 32 (3) (f) of the Regulatory Requirements, regarding the provision of information being made available.