



# **Complaints Procedure Policy (Whole School including EYFS)**

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## **Independent Day School**

## **Our Lady of Sion School**

Last Reviewed: December 2023

Frequency of Review: Annually

Next Review Due: December 2024

## Introduction

A 'concern' may be treated as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A complaint may be generally recognised as 'an expression or statement of dissatisfaction however made, about actions taken or a lack of action'.

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to follow formal procedures.

Our Lady of Sion School takes informal concerns seriously and make every effort to resolve the matter as quickly as possible.

Our Lady of Sion (the "School") has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, there may be occasions when complainants want to raise any concerns formally. In those cases, parents can expect their complaint to be treated by the School with care and in accordance with this Complaints Procedure.

Our Complaints Procedure Policy:

- is simple to understand and use;
- is impartial;
- is non-adversarial;
- enables a full and fair investigation;
- where possible, respects confidentiality;
- addresses all the points at issue and, where applicable, provides for an effective response and appropriate redress; and
- provides information to the School's senior management team so that services can be improved.

## This procedure applies to all parents including those with pupils in EYFS

It is available to parents of pupils and of prospective pupils on the School's website or from the School's Office during the school day. 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 paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulation 2014, the School will also make available, on request, to Ofsted, the Department for Education (DfE) or the Independent Schools Inspectorate (ISI), details of this Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year.

Although this Procedure is made available to parents of prospective pupils, it is not available for use by them; it may only be used by parents of current pupils.

Complaints by parents of former pupils will be dealt with under this Complaints Procedure only if the complaint was initially raised when the pupil in respect of whom the complaint relates was still registered as a pupil at the School.

"Parent(s)" means the holder(s) of parental responsibility for a pupil about whom the complaint relates, and also carers, guardians and other adults acting *in loco parentis*.

If a parent has a concern or complaint, they can expect it to be treated by the School in accordance with this procedure. The School seeks to maintain open and constructive dialogue with parents and to put right any proven matters of concern.

Any significant matter about which a parent of a pupil is unhappy and seeks action by the School is likely to be within the scope of this procedure.

This procedure has been approved by the Headteacher and the Governing Body of Our Lady of Sion School (**School**). It takes full account of Part 7 of the Education (Independent School Standards) Regulations 2014. School leaders will ensure there are no impediments that may reduce the capacity of parents to make representations or formal complaints.

### **Timeframe for Dealing with Complaints**

All complaints will be handled seriously, sensitively and within clear and reasonable timescales and it is in everyone's interest to resolve a complaint as speedily as possible. The School's targets for completing each stage of the process are set out in this procedure.

**Please note that for the purposes of this Procedure working days** means Monday to Friday, when School is open during term time, excluding bank holidays and half term. The dates of terms are published on the School's website. 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. It may also take longer to resolve a complaint during periods of significant disruption to School life or as a consequence of unavoidable staff absence, however deviation from the normal timescale for resolving a complaint during term time will only occur on an exceptional basis, and the School will take all reasonable steps to limit any such delay.

Separate procedures apply if a pupil has been expelled or asked to leave or if a child protection issue has arisen. The school is duty bound to follow child protection and safeguarding procedures in accordance with statutory guidance and policies set by the West Sussex Safeguarding Children Partnership.

### **Stages**

#### ***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 child's Class Teacher/Form Tutor.

Even if the complaint is being addressed at "informal resolution" stage, Key Stage Coordinators and/or the Deputy Headteacher should be informed and proposed action plans should be shared and agreed with the appropriate line-manager.

In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Class Teacher/Form Tutor cannot resolve the matter alone, it may be necessary for them to consult:

#### **The Junior School**

Maria Manco (Key Stage 1 Coordinator)

Sarah Summers (Key Stage 2 Coordinator)

#### **The Senior School**

Helen Davis (Deputy Headteacher)

Complaints made directly to the Deputy Headteacher or Key Stage Coordinators will usually be referred to the relevant Class Teacher/Form Tutor unless the Deputy Headteacher/Key Stage Coordinators deems it appropriate for them to deal with the matter personally. At all stages consideration will be given to any patterns of concern that may have arisen.

The Class Teacher/Form Tutor 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 Class

Teacher/Form Tutor 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 Headteacher, parents should make their complaint directly to the Chair of Governors 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 Headteacher stating that they wish to invoke a formal complaint. The Headteacher will decide, after considering the complaint, the appropriate course of action to take and will acknowledge the complaint within **2 working days**.

In most cases, the Headteacher will meet or speak to the parents concerned, normally within **3 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 Headteacher to carry out further investigations. Alternatively, the Headteacher may ask a senior member of staff to act as Investigator and/or may involve one or more Governors. The Investigator(s) may request additional information from the complainant and will probably wish to speak to them personally and to others who have knowledge of the circumstances.

The school will seek to keep relevant parties informed of the progress of any investigation at each stage of this procedure.

Written records will be kept of all meetings and interviews held in relation to the complaint.

Once the Headteacher 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, usually within **15 working days** from the receipt of the complaint. The Headteacher will also give reasons for his decision together with details of any findings or recommendations arising from the investigation into the complaint.

If the complaint is against the Headteacher, the complaint should be made to the Chair of Governors. The Chair of Governors or their nominee will call for a full report from the Headteacher 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.

Early Years Foundation Stage: parents in the EYFS setting whose complaint relates to the fulfilment of the EYFS requirement will be notified of the outcome of the investigation within 28 calendar days of the complaint being received.

### ***Stage 3 – Panel Hearing***

If parents seek to invoke Stage 3, following a failure to reach an earlier resolution, they must do so in writing to the Chair of Governors within 5 days after receiving the Headteacher's decision. Parents should ensure they provide:

- a copy of all relevant documents and full contact details;
- details of all the grounds of the appeal and the outcome desired; and
- a list of the documents which the complainant/s believe to be pertinent to the issues raised and evidence required.

The matter will then be referred to a Complaints Panel for consideration. The Panel will consist of three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the School. Each Panel member will be appointed by the Chair of Governors. The Panel members will choose one of themselves to be the Chair of the Panel throughout the proceedings. The Chair, on behalf of the Panel, will then acknowledge the complaint within 5 working days and schedule a hearing to take place within **20 working days** of receipt of the request.

If the parents would prefer to meet the panel off-site (away from the school campus), a mutually agreed alternative venue may be considered.

The parents may be accompanied to the hearing by one other person. This would usually be a relative, teacher or friend. As the Panel hearing is not a legal proceeding, legal representation will not usually be permitted on either side. The Panel may decide to call other witnesses during the hearing to ensure all relevant information is available in order to reach balanced and fair conclusions.

The aim of the governors committee should be:

- reconciliation; and
- to put right things that may have gone wrong.

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 or further investigation being carried out. Copies of such particulars shall be supplied to all parties not later than 5 working days prior to the hearing.

The remit of the Panel shall be at the discretion of the Chair of Governors and the manner in which the hearing is conducted shall be at the discretion of the Panel.

If possible, the Panel will seek to resolve the complainant(s) 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 the merits of the complaint and all facts they consider relevant, the Panel will reach a decision on the balance of probabilities and may make findings as to whether or not the Stage 2 decision was reasonable and decide whether to:

- dismiss the complaint(s) in whole or in part;
- uphold the complaint(s) in whole or in part; and
- make recommendations.

Within **14 days** of the hearing (although additional time may be required if it is necessary to carry out further investigations following the hearing) the Panel will write to the parents informing them of its decision and the reasons for it. The decision of the Panel represents the conclusion of the School's complaints procedure. The Panel's findings and any recommendations will be sent by email or otherwise given to the parents, the Headteacher, the Chair and panel of Governors and, where relevant, the person whom the complaint is made against and will be made available on the School premises. Additionally, records of complaints and their resolution will be available to inspectors in accordance with regulatory requirements.

### **Persistent correspondence**

Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, this may be regarded by the School as vexatious and outside the scope of this procedure.

### **Record keeping and use of personal data**

A written record will be kept of all complaints, and of whether they were resolved at Stage 2 or proceeded to

a Panel hearing, along with any action taken by the School as a result of these complaints regardless of whether they are upheld. Complaints are recorded confidentially on the CPOMS school system, and the complaints process is reviewed regularly with the Headteacher by the Chair of Governors to ensure that it is fit for purpose and meeting its aims.

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/minutes of the hearing; and
- the Panel's written decision.

This may include 'special category personal data' (as detailed in the School's Privacy Notice, 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 Privacy Notice.

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. Parents can be assured that all concerns and complaints will be treated seriously and confidentially.

## EYFS

Parents of EYFS children should follow the three stages of this Complaints Procedure. If parents remain dissatisfied, they can make a complaint to the Independent Schools Inspectorate (ISI) or Ofsted if they believe the School is not meeting the EYFS requirements. Parents will be notified by the ISI or Ofsted of the outcome of the investigation into their complaint within 28 days of the complaint being received.

The School is also obliged, on request, to provide to Ofsted/ISI 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 the School's Privacy Notice.

As far as possible, it is hoped that representations or complaints will be made to the School in the first instance, although it is understood that there is a right to report directly to ISI or Ofsted if this is felt to be necessary. Details of how to contact Ofsted and/or ISI are given at the end of this procedure, see Appendix 1.

## Complaints

During the academic year 2022/2023, the School managed two formal complaints.

One of these was partially upheld and the other was wholly dismissed.

In the case of the partially upheld complaint, recommendations were made.

Responses to complaints are carried out in accordance with our complaints policy which follows a three-stage structure.

## Related Documents

Safeguarding Policy

## Appendix 1: Contacting Ofsted and/or ISI if the School is not meeting the EYFS requirements

Although the School is inspected by ISI, an independent organisation which reports to the Government on schools, parents of EYFS children have the right to contact either Ofsted or the ISI if they believe the School is not meeting the EYFS requirements. Such parents can report their concerns to Ofsted on 0300 123 1231 or at [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk) or they can write to the Ofsted Regional Office as follows:

Ofsted, 2 Rivergate, Redcliffe, Temple Quay, Bristol BS1 6DZ

Or submit an electronic complaint <https://contact.ofsted.gov.uk/online-complaints>

### Contact details for ISI

Parents of pupils in the Junior School, Senior School or Sixth Form, as well as EYFS parents, may also report any concerns to ISI on 020 7600 0100 or they can write to ISI as follows:

Independent Schools Inspectorate, C A P House, 9-12 Long Lane, Barbican, London EC1A 9HA

Or email [concerns@isi.net](mailto:concerns@isi.net)

**Approved by Board of Governors December 2023**