



Complaints Policy

for the whole School including EYFS

Policy revised by	AMR / HM
SLT Review Period	Annual
Last SLT Review	December 2021
Next SLT Review Due	September 2022
Governor Review Period	3 years
Governing Committee	GPC
Last Governor Review	March 2020
Next Governor Review Due	March 2023

Introduction

Beechwood Park School (hereafter '*The School*') has long prided itself on its *Mission* to **Nurture, Engage** and **Inspire** pupils, on its core **Values** and on the importance of being a Listening School.

If parents do have a complaint, they can expect it to be treated by the *School* with care and in accordance with this procedure.

The *School* makes its complaints procedure available to all parents of pupils and of prospective pupils on www.beechwoodpark.com and in the *School Office* during term time. The *School* ensures 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.

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 to which the complaint relates was still registered as a pupil at the *School*. The only exception to this is if the complaint is a review of a decision taken by the Head to exclude or require the removal of a pupil under clause 7 of the *School's* Terms and Conditions in which case such a review must be requested by no later than five working days from the date of the decision to exclude or require the removal of a pupil.

"Parent(s)" means the holder(s) of parental responsibility for a current pupil about whom the complaint relates.

In accordance with paragraph 32(1)(b) of *Schedule 1 to the Education (Independent School Standards) Regulations 2014*, the *School* makes available to parents of pupils and of prospective pupils and provides, 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.

Number of formal complaints in the Academic Year 2020 / 2021 was 1.

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 the pupils and parents can be assured that their child will not be penalised for a complaint that is raised in good faith.

The Three-stage Complaints Procedure

Stage 1 - Informal Resolution

- The *School* hopes to resolve most complaints and concerns quickly and informally.
- If parents have a complaint they should normally contact their child's *Form Teacher* or *Houseparent*. In many cases, they will resolve the matter straight away to the parents'

satisfaction. If the *Form Teacher* or *Houseparent* cannot resolve the matter alone, they will consult the appropriate *Head of Middle or Senior Department, Deputy Head (Junior or Academic or Pastoral), Bursar* or the *Head*.

- The *Head of Middle or Senior Department, Deputy Head (Junior or Academic or Pastoral), Bursar* or the *Head* will usually refer complaints made directly to them to the relevant *Staff Member* unless they deem it appropriate to deal with the matter in person.
- The *Staff Member* 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 and at the very most within 7 working days, or in the event that the *Staff Member* and the parent fail to reach a satisfactory resolution, then parents should proceed with their complaint in accordance with Stage 2 of this procedure.

(During holiday periods, the School will acknowledge the complaint within 7 days of the complaint being received and respond formally within 7 working days after the start of the next term.)

- If, however, the complaint is against the *Head*, parents should make their complaint directly in writing to the *Chair of Governors*, whose contact details are available from the Bursar 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, which may be by email, to the *Head* and ideally entitled 'Formal Complaint'. The *Head* will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the *Head* will respond by speaking or writing to/emailing the parents concerned, within 5 working days of receiving the complaint and at the most 7 working days in order to discuss the matter. If possible, a resolution will be reached at this stage.

(During holiday periods, the School will acknowledge the complaint within 7 days of the complaint being received and respond formally within the first 7 working days of the following term).

- 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 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 their decision. The outcome of the investigation will normally be communicated to parents within 10 days.

(During holiday periods, the School will communicate the outcome of the investigation within the first 10 working days of the following term.)

- If the complaint is against the *Head*, the *Chair of Governors*, or their nominee, will call for a full report from the *Head* and for all the relevant documents. The *Chair* 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* 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* 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 *Bursar* within 7 days of receiving the decision at Stage 2, setting out their grounds of appeal. Any supporting evidence which the parents wish to rely on should also be provided with their grounds of appeal
- The *Bursar*, 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 at least 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 *Chair of Governors* will appoint one *Panel* member to act as *Chair of the Panel*. The *Bursar* will then acknowledge the complaint within 5 working days 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 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 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.
- 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 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 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 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 (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*.
- Any complaint of a decision taken by the *Head* to exclude or require the removal of the pupil under clause 7 of the *School's Terms and Conditions* will be governed by this Stage 3 of the *School's Complaints Procedure*. In such circumstances, the *Panel* may only uphold the complaint and ask the *Head* to reconsider their decision if the *Panel* consider, having regard to the process followed by the *Head*, that the *Head's* decision to exclude / require the removal of the pupil was not a reasonable decision for the *Head* to have taken.

Timeframe for Dealing with Complaints

All complaints will be handled seriously, sensitively and within 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, the *Appeal Panel Hearing*, will be completed within a further 20 working days

Please note that, for the purposes of this procedure, working days refers to weekdays (Monday to Friday) during term time, excluding bank holidays and half terms. 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.

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

This may include 'special category personal data' (as further detailed in the *BPS 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 Data Protection, Record Keeping and Retention of Records Policy*.

The *School* will keep records of formal complaints and *Complaints Panel* hearings, as required by regulation. It will do so in accordance with the *BPS Privacy Notice* and *Data Protection, Record Keeping and Retention of Records Policy* but in most cases for a period of at least seven years after the pupil leaves *The School*.

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 the *BPS Privacy Notice and Data Protection, Record Keeping and Retention of Records Policy*

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.

Parents may complain directly to *Ofsted* or to the *ISI* if they believe the provider is not meeting the EYFS requirements. They may be contacted as follows:

- Ofsted on 0300 123 1231 or by email: enquiries@ofsted.gov.uk.

Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD

- ISI on 020 7600 0100 or by email: concerns@isi.net

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

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