

# Fyling Hall School Complaints Procedure



In such a small school we aim to develop an atmosphere in which the pupils can approach members of staff in the confidence that their complaint will be taken seriously. They have a right to be listened to.

There will, of course, be many general day-to-day moans by the pupils, and these will tend to be dealt with by tutors/ matrons. It is important that even relatively trivial observations are dealt with properly. Often an explanation from the member of staff, perhaps on why a particular school rule is necessary, will make the position clearer for the pupil. Some critical observations may be raised publicly during registration - an important dimension of the morning form period. Alternatively the pupil may wish to talk with their tutor (note policy on one-to-one interviews). At no stage will pupils be penalised for making a complaint in good faith.

The school prefects and form representatives sitting on the School Council also have an important role to play in this regard. Complaints about catering should be brought to the attention of the year representative on the Food Committee.

The form tutors and resident staff are also likely to be the adults to whom pupils will go with more formal complaints. In most instances matters can be resolved at this level. The Headmaster, who is often directly consulted by pupils in the first instance (this is not discouraged), will invariably pass the issue on to the form tutor/matron unless there is good reason why this should not happen.

If the tutor/matron feels that she/he needs guidance, the Headmaster should be consulted.

Any issues regarding child protection must be brought to the Headmaster's personal attention without delay by the member of staff in whom the pupil has confided (see Child Protection Policy).

If the matter is too personal to talk to any school staff about the designated off-site adults should be contacted. An appointment with the school doctor can be arranged by seeing the Matron on duty in the Medical room. Alternatively the pupils may wish to talk in confidence to someone outside school, such as local clergy or Miss Caroline Spencer (School Governor with responsibility for Child Protection): 01947 810395 . Other numbers displayed in Houses include Childline (0800 1111), Ofsted (08456 404040), our School Inspectors (ISI), a nominated Independent Listener and the NSPCC (0800 800 500).

Often the pupil will raise an issue with parents before approaching a member of staff. However, it is good practice to contact parents to inform them of developments.

Complaints directly from parents to the school are important. Consequently they are dealt with thoroughly and expeditiously using the procedure below. The

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tutor/matron should always inform their line manager of the complaint, even if they are dealing with the matter themselves. Copies of written complaints and replies are kept in the office files. If the complaint is dealt with by telephone a note of the conversation must always be filed. If a parent feels that their complaint has not been handled satisfactorily by the school they should contact the Chair of Trustees, via the school office or via email using [chairoftrustees@fylinghall.org](mailto:chairoftrustees@fylinghall.org) . Parents and pupils will not be penalised for making a complaint in good faith.

Boarding parents may also contact ISI and parents of pupils in EYFS may contact Ofsted whose contact details are listed below.

## **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 child's Form Tutor or the appropriate boarding house staff. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Form Tutor or Matron cannot resolve the matter alone, it may be necessary for him or her to consult a Head of Department or the Headmaster.
- Complaints made directly to a Head of Department or the Headmaster will usually be referred to the relevant Form Tutor or Matron unless the Head of Department, Deputy Head or the Headmaster deems it appropriate for him or her to deal with it personally.
- The Form Tutor or Boarding House staff 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 seven working days or, in the event that that the Form Tutor or Matron and the parent fail to reach a satisfactory resolution, then the parents will be advised to proceed with their complaint in accordance with stage 2 of this procedure.
- If, however, the complaint is against the Headmaster, parents should make their complaint directly to the Chair of Trustees whose contact details are available on the School Website or from the School Office 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 Headmaster. The Headmaster will decide, after considering the complaint, the appropriate course of action to take.

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- Your complaint will be acknowledged by telephone (and followed up in writing) normally within 24 hours of receipt during term time and as soon as practicable during the holidays).
- In most cases, the Headmaster will meet with the parents concerned, normally within seven 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 Headmaster to carry out further investigations. The Headmaster will aim to complete any such further investigations within 10 working days. Should more time be required to allow the Headmaster complete the investigations, parents and any other relevant parties will be kept informed and given an indication of the revised timeframe.
- The Headmaster 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. In most cases, the Head will make their decision and provide the parents with reasons within 15 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. 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 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 should do so in writing to the Chair of Trustees within 5 working 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 Chair of Trustees 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 Chair of Trustees will appoint one Panel member to act as Chair of the Panel OR

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[The Complaints Panel will appoint one of the Panel members to act as the Chair of the Panel]. The Chair of Trustees, on behalf of the Panel, will then acknowledge the complaint within 5 working days and schedule a hearing to take place as soon as practicable and normally within seven working days of the panel being appointed.

- 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 less than two 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 manner in which the hearing is conducted shall be at the discretion of the Panel.
- The panel hearing will go ahead unless the parent indicates they are now satisfied and do not wish to proceed further. The panel hearing will therefore proceed notwithstanding that the parent may subsequently decide not to attend. In this circumstance the panel will consider the parent's complaint in absentia and issue findings on the substance of the complaint, thereby bringing the matter to a conclusion.
- In fulfilling the requirement for the panel to proceed every effort will be made to accommodate parental availability when finalising a date. Comments concerning panel composition will be considered.
- 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 Trustees and the Head. A copy of the Panel's

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findings and recommendations (if any) will also be available for inspection on the School premises by the Chair of Trustees and the Head.

## **Timeframe for Dealing with Complaints**

All complaints will be handled seriously, 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, 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. 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 be permitted 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/minutes of the hearing, and
- The Panel's written decision

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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 and Data Protection 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.**

**For the academic year 2019/20 the School received 0 formal complaints.**

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.

Fyling Hall 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.

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 can be contacted on 0300 123 1231 or by email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

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

ISI can be contacted on 020 7600 0100 or by email: [concerns@isi.net](mailto:concerns@isi.net)

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

Updated: September 2020 by S Allen

To be reviewed September 2021