



# **PARENTS' COMPLAINTS PROCEDURE**

Reviewed by: D Browne	Date: Sept 2021	Next review: Sept 2022
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## **Introduction**

Adcote School has long prided itself on the quality of the teaching and pastoral care provided to its pupils. *However*, if parents do have a complaint, they can expect it to be treated by the School in accordance with this Procedure. The School welcomes suggestions and comments from parents and takes seriously complaints and concerns that may arise. Many concerns that pupils have do not necessarily call for complaint, but should still be brought to the school's attention. Help can only be given about issues that are known. This policy is available to the parents of pupils and or prospective pupils. It is applicable to all pupils in the school.

### **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 daughter's form tutor. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the form tutor cannot resolve the matter alone, it may be necessary to consult The Deputy Head and/or Head of Prep School.
- Complaints made directly to the Head will usually be referred to the relevant person unless the Head deems it appropriate to deal with the matter personally.
- The person receiving the complaint 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 two weeks or in the event that the above fore-mentioned and the parents fail to reach a satisfactory resolution then parents will be advised to proceed with their complaint in accordance with stage 2 of this Procedure.

#### Restorative Justice Conferencing

Sometimes it may be helpful to try holding a restorative justice conference before proceeding to Stage 2. A conference is a forum where people deal with wrongdoing and conflict. All participants can speak, express their feelings and, most importantly, have a say in the outcome. A conference is a democratic experience in which those most affected by a problem decide how to respond to it.

The conference facilitator brings the participants together, creates a safe and supportive environment, keeps the process focused and records the decisions of the group. The conference facilitator does not make or influence the decisions, but lets participants express themselves and find their own creative solutions. The best conference facilitators guide the process, yet remain in the background. They encourage, but do not control or dictate.

### **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, normally within two 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 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 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 Chairman of the Board of Governors.
- The matter will then be referred to a Complaints Panel for consideration. The Panel will consist of at least 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 of the Panel members shall be appointed by the Chairman of the Board of Governors. The Chairman on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 14 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 four days prior to the hearing.
- The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.
- 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 reach a decision and may make recommendations, which it shall complete within 14 days of the Hearing. The Panel will write to the parents informing them of its decision and the reasons for it (The decision of the Panel will be final) The Panel's findings and, if any, recommendations will be sent in writing to the parents, the Head, the Governors and, and any relevant parties.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except in so far as is required of the school by paragraph 6(2)(j) of the Education (Independent Schools Standards) Regulations 2003; where disclosure is required in the course of the school's inspection; or where any other legal obligation prevails.

### **EXCLUSION**

There are 4 ways in which a pupil can be 'excluded' from a school:

### **SUSPENSION**

In other contexts, suspension is a neutral action pending investigation, but in this context may be an acceptable form of sanction for a limited period. (Suspension can be a neutral act if it is used while an appeal against Removal or Expulsion is prepared).

### **WITHDRAWAL BY THE PARENT**

Normally 'Withdrawal by the Parents' is the safest and least uncomfortable way to achieve exclusion. It leaves the school able to effect a compromise by agreeing to provide a reference and perhaps help with

the relocation of the pupil. However, it may be necessary for the School to use 'Requirement to leave' or 'Expulsion'.

## **REQUIREMENT TO LEAVE**

'Requirement to Leave' should be distinguished from 'Expulsion'. If parents will not agree to 'Withdrawal' it may be a form of sanction which needs to be used for consistent failure to work: because the pupil is not flourishing or for serious offences. 'Suspension' during a Review procedure may be appropriate.

## **EXPULSION**

'Expulsion' is likely to be used only for particularly serious offences – sexual abuse, gross violence/vandalism, serious arson etc. 'Expulsion' may need to be with immediate effect but 'Suspension' during a review procedure may be appropriate.

It is recognized that 'Expulsion' involves disgrace and that the stigma may have a serious effect on the pupil's future and should only be considered for an offence which is sufficiently serious. The Head will seek to ensure that any decision to 'Expel' will be: made in good faith; in accordance with the principles and procedures of restorative justice and on the basis that guilt is sufficiently well established. This should include giving the pupil an opportunity to put her case before an unbiased assessor.

As part of the 'Appeal' procedure, parents should be asked to and a reasonable time (seven days) allowed while thoughts are assembled. During this time the pupil should be suspended and suitable work should be provided by her tutor, on request.

## **APPEALING AGAINST 'REQUIREMENT TO LEAVE' OR 'EXPULSION'**

1. Appeals against 'Requirement to Leave' or 'Expulsion' should be made in writing to the Chairman of the Board of Governors; should be sent within seven days of the exclusion, should explain the grounds for appeal and state clearly the grounds under which parents think the decision was unjust.
2. On receipt of an Appeal, the Chairman would seek to set up an Appeal Committee within 14 days. Each panel member shall be appointed by the Chairman of the Board of Governors. The panel will consist of three people, one of whom should not be involved in the day to day management of the school – probably two governors and one other. No governor should sit on the Appeal committee who has had prior involvement in the case or who might for any other reason not be impartial.
3. Irregularity in forming the Appeal Committee will not invalidate any hearing.
4. Each side should be invited to supply relevant documents via the Chairman to the other party at least four days before the Appeal hearing. Other documents should only be accepted at the hearing if the Chairman accepts this would be fair and helpful.
5. Parents should be allowed to have a friend to help and support them at the Appeal hearing. It would not normally be appropriate for parents to have legal representation at an Appeal hearing but (should legal representation be requested and agreed) the hearing may need to be postponed so that the School can be legally as well.
6. A normal order of proceedings would be for the Head to present the School's case plus evidence. Then the parents would present their appeal. Each party might then question the other and any witnesses and the Committee might raise questions at any time. (The expelled pupil should not normally be allowed to attend. Probably only at the Chairman's discretion depending on the pupil's age.) Normally, the Head would sum up and the parents have the last word. The Committee then considers in private and delivers its opinion with brief reasons as soon as it is practicable.

7. In their considerations, the Committee should consider the greater needs of the School as well as those of the pupil. The Committee options are likely to be whether to confirm the exclusion or direct that the pupil be reinstated, in which case the head should have power to apply a lesser sanction.

**Please note**

This process should be complete within 28 working days from acknowledging your complaint.

Ofsted and/or ISI will, on request, be provided with a written record of all complaints made during a specific period and the action taken as a result of those complaints.

If your concern has still not been satisfied you may wish to seek independent legal advice. You may also contact DCSF 0870 0012345, Ofsted 08456 404040 or ISI 020 7600 0100. There are certain circumstances in which the Secretary of state may have an interest and he can be contacted through your local MP. An investigation may be ordered, usually through the Independent Schools' Inspectorate or OFSTED. Written records, statements and correspondence relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 162A of the 2002 Act, as amended, requests access to them. This record will state whether the complaint was resolved at a preliminary stage or progressed to a panel and will be kept for a minimum of three years.

In addition to the procedures above:

- This policy is available to all staff and boarders.
- Boarders and their parents are informed to contact Ofsted regarding boarding welfare and this information is displayed prominently around the school. Ofsted number 08456 404040.
- Pupils are not penalized for making a complaint in good faith.
- All written records of complaints are reviewed annually by both the Head and the Chairman of Governors.
- Complaints are resolved either to the complainant's satisfaction, or with an otherwise appropriate outcome which balances the rights and duties of pupils.
- ISI can also be contacted on 020 7600 0100.

All providers must investigate written complaints relating to their fulfilment of the EY requirements and notify complaints of the outcomes of the investigation within 28 days of having received the complaint.

In the last academic year the number of formal complaints lodged is 0.