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# OVERSTONE PARK SCHOOL

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## Complaints Policy



SEPTEMBER 2016  
OVERSTONE PARK SCHOOL  
Overstone Park, Northampton, NN6 0DT

## Complaints Procedure

Date	Review Date	Coordinator
September 2016	December 2016	Mrs M Brown Mr M Partington Mrs D York Mrs T James

We believe this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school and is related to the following legislation:

- Local Government Act 1974
- Local Government Act 1988
- Education Act 1996
- Data Protection Act 1998
- School Standards and Framework Act 1998
- Freedom of Information Act 2000
- Education Act 2002
- Education Act 2005
- Education and Skills Act 2008
- Apprenticeship, Skills, Children and Learning Act 2009
- Children, Schools and Families Act 2010
- Education (Admissions Appeals Arrangements) (England) (Amendment) Regulations 2008
- Education (Independent Schools Standards) Regulations 2010
- The Education (Independent School Standards) Regulations 2014
- Equality Act 2010
- Education (non-maintained Special Schools) Regulations 2011
- School Admissions ( Appeals Arrangements) (England) Regulations 2012

The following documentation is also related to this policy:

- Complaints About Ofsted: Raising Concerns and Making a Complaint about Ofsted (Ofsted)
- School Admission Appeals Code ( DfE)
- The School's Complaints policy is made available to all parents of pupils.
- The School's Complaints policy sets out clear time scales for the management of a complaint.

We believe that this school provides an excellent education and that the Principal and school personnel work very hard to build positive relationships and have in place clear lines of communication with all parents and others. In so doing complaints are kept to a minimum.

However, we are aware that it is a statutory requirement that we have in place clear procedures to deal with any complaint made against the school or individuals connected with it. We take any complaint seriously and we deal with them professionally following set procedures.

We believe complaints need to be resolved as quickly as possible but in some cases we need to establish whether the issue brought to our attention is a complaint or an actual concern. In such cases 'many issues can be resolved informally without the need to invoke formal procedures'.

We agree with the definition that a concern is 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought.' While a complaint is best defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'. By making this distinction between a concern and a complaint and taking all informal concerns seriously the number of concerns should be reduced before developing into formal complaints.

We must be aware that besides parents/carers of children who are registered at this school any member of the general public can make a complaint about 'any provision of facilities or services' that we provide at this school.

We have a duty to publish the complaints policy in the school handbook and on the school website with hard copies available from the school office.

We understand that a complaint may be made in writing, by telephone or in person. However, we will endeavour to accommodate those complainants who may be disabled or have learning difficulties by having in place alternative methods of registering a complaint.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that is connected with this policy.

## **Aims**

**To ensure that the Independent School Standards Part 7 shown below is met in its entirety.**

### **Manner in which complaints are handled:-**

**33. The standard about the manner in which complaints are handled is met if the proprietor ensures that a complaints procedure is drawn up and effectively implemented which deals with the handling of complaints from parents of pupils and which—**

**(a) is in writing;**

- (b) is made available to parents of pupils;
- (c) sets out clear time scales for the management of a complaint;
- (d) allows for a complaint to be made and considered initially on an informal basis;
- (e) where the parent is not satisfied with the response to the complaint made in accordance with sub-paragraph (d), establishes a formal procedure for the complaint to be made in writing;
- (f) where the parent is not satisfied with the response to the complaint made in accordance with sub-paragraph (e), makes provision for a hearing before a panel appointed by or on behalf of the proprietor and consisting of at least three people who were not directly involved in the matters detailed in the complaint;
- (g) ensures that, where there is a panel hearing of a complaint, one panel member is independent of the management and running of the school;
- (h) allows for a parent to attend and be accompanied at a panel hearing if they wish;
- (i) provides for the panel to make findings and recommendations and stipulates that a copy of those findings and recommendations is—
  - (i) provided to the complainant and, where relevant, the person complained about; and
  - (ii) available for inspection on the school premises by the proprietor and the head teacher;
- (j) provides for a written record to be kept of all complaints that are made in accordance with sub-paragraph (e) and—

- (i) whether they are resolved following a formal procedure, or proceed to a panel hearing; and
- (ii) action taken by the school as a result of those complaints (regardless of whether they are upheld); and
- (k) provides that 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 109 of the 2008 Act requests access to them.

## **PART 8**

### **Quality of leadership in and management of schools**

**34.—(1) The standard about the quality of leadership and management is met if the proprietor ensures that persons with leadership and management responsibilities at the school—**

- (a) demonstrate good skills and knowledge appropriate to their role so that the independent school standards are met consistently;
- (b) fulfil their responsibilities effectively so that the independent school standards are met consistently; and
- (c) actively promote the well-being of pupils.

**(2) For the purposes of paragraph (1)(c) “well-being” means well-being within the meaning of section 10(2) of the Children Act 2004(a).**

### **Responsibility for the Policy and Procedure**

### **Governance of the Complaints policy to be improved and maintained by the Proprietors**

- A duty to have in place a complaints procedure that meets the requirements of the Independent School Standards part 7
- Leadership will demonstrate good skills and knowledge appropriate to the role so that the independent school standards are met consistently.
- Actively promote the wellbeing of pupils.
- Responsibility to ensure that the complaints procedure complies with their obligation under the Independent School Standards part 7.
- Delegated powers and responsibilities to the Principal to ensure all school personnel and visitors to the school are aware of and comply with this policy;
- Responsibility to deal with any complaint made against the Principal with an independent person.
- Responsibility to arrange for an independent panel to hear a complaint.
- Responsibility of discussing the concerns/complaints log with the Principal;
- Have in place a self-evaluation process to monitor the way complaints are dealt with and to consider what improvements can be made to the complaints procedures;
- Responsibility of taking into account any local or national decisions that affect the complaints process, and will make any modifications necessary to this policy;
- Responsibility for ensuring that the complaints procedure is publicised on the school website and in the school handbook, is concise, simple to understand and impartial;
- Responsibility for ensuring that the school complies with all equalities legislation;
- Nominated a designated Equalities governor to ensure that appropriate action will be taken to deal with all prejudice related incidents or incidents which are a breach of this policy;
- Responsibility for ensuring funding is in place to support this policy;
- Responsibility for ensuring this policy and all policies are maintained and updated regularly;
- Responsibility for ensuring all policies are made available to parents;
- Nominate a specialist adviser on Independent school policies who will:-
  - Visit the school regularly.
  - Work closely with the Principal and the coordinator.
  - Ensure this policy and other linked policies are up to date.
  - Ensure that everyone connected with the school is aware of this policy.
  - Attend training related to this policy.
  - Report to the Principal and the Proprietors every term.
  - Annual report to Governance on the success and development of this policy.
- Make effective use of relevant research and information to improve this policy;
- Responsibility for the effective implementation, monitoring and evaluation of this policy.

## **Role of the Principal**

The Principal will:

- Deal with all complaints impartially and in a non-adversarial manner.

- Keep the complainant fully updated at all stages of the complaints procedure.
- Keep records.
- Not share third party information.
- Seek an interpreter if the need arises.
- Refer any complaint made against him/her to an Independent person
- Ensure full and fair investigations are undertaken by an independent person where necessary.
- Ensure confidentiality at all times.
- Ensure all complaints are resolved as quickly as possible within realistic time limits.
- Log all complaints received by the school and records how they were resolved.
- Keep the record of complaints in a safe place.
- Discuss the complaints log every year with those in charge of governance.
- To ensure that there is a written record of all complaints which is available during an inspection of the school.
- To ensure that the record of complaints is kept confidential.
- Monitor and review complaints to see how they can contribute to school improvement.
- Ensure all school personnel, pupils and parents are aware of and comply with this policy.
- Provide leadership and vision in respect of equality.
- Provide guidance, support and training to all staff;
- Make effective use of relevant research and information to improve this policy.
- Monitor the effectiveness of this policy by speaking with school personnel, parents and those in charge of governance.
- Annually report to those in charge of governance on the success and development of this policy

## **Role of the Complainant**

We ask the complainant to:

- Cooperate with school to find a solution to the complaint as quickly as possible;
- Provide enough information as possible;
- Be respectful to everyone involved in the complaint procedure.

## **Complaint Procedures**

### Complaints Procedure

The academic, social and emotional needs of our pupils are our priority at Overstone Park School. We are a school that listens and acts proactively to resolve complaints fairly and swiftly. However if parents or guardians do have a complaint, they can expect it to be treated by the School in accordance with the following 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 teacher. In many cases, the matter will be resolved straight away by this means to the parents' satisfaction. If the form teacher cannot resolve the matter alone, it may be necessary to involve the Principal.
- Complaints made directly to the Principal will usually be referred to the relevant form teacher unless the Principal deems it appropriate to deal with the matter personally.
- The form teacher or Principal will make a written record of all complaints and the date on which they were received. The written record should be passed on to the office in order for it to be filed in the pupil's personal file.
- Should the matter not be resolved within 14 days or in the event that the form teacher 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.

### 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 Principal. The Principal will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Principal will speak or write to the parents concerned, normally within three 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 Principal to carry out further investigations.
- The Principal will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Principal 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 Principal will also give reasons for his decision.
- If parents are still not satisfied with the decision, they should continue to keep open channels of communication with the Principal (by telephone, email, letter or face-to face). A resolution is preferred.
- If parents are still not satisfied with the decision, they could proceed to stage 3 of this procedure.

### Stage 3 – Appeal Hearing

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they will be referred to the Principal, who has been appointed to call hearings of the complaints panel.
- If possible, The Principal will resolve the parents' complaint immediately without the need for a time consuming further investigation or a meeting of the panel.

- If a resolution cannot be found, the matter will then be referred to the Complaints Panel for consideration. The Panel will consist of The Principal and at least two 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 Principal. The Principal, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and 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 three days prior to the hearing.
- The parents may be accompanied to the hearing by an independent person. This may be a relative, teacher or friend. Legal representation is not 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 communicated to the Principal. The Panel's findings and, if any, recommendations will be sent in writing to the parents, and where relevant, the person complained of.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. 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 109 of the 2008 Act requests access to them.

### External Agencies

Ofsted telephone number, to make a complaint about a service they regulate, is 0300 123 4666.

Their address is:

Royal Exchange Buildings, St Ann's Square, Manchester, M2 7LA

Parents can, at any time, ask the Principal (via the office) for a list of any formal complaints against the school in the last 12 months.

### **Raising Awareness of this Policy**

We will raise awareness of this policy via:

- The School Handbook/Prospectus.
- The school website.
- The Staff Handbook



- Meetings with parents such as introductory, transition, parent-teacher consultations and periodic curriculum workshops.
- School events.
- Meetings with school personnel.
- Communications with home such as weekly newsletters and of end of half term newsletters.
- Reports such annual report to parents and Principal reports to the Governing Body.
- Information displays in the main school entrance.

## **Training**

All school personnel:

- Receive training on induction which specifically covers:
- Have equal chances of training, career development and promotion
  - All aspects of this policy
  - Communication
  - Community Links
  - Community Cohesion
  - School Prospectus
  - School Website
  - Home-School Agreement
  - Equal opportunities
  - Inclusion
- Receive periodic training so that they are kept up to date with new information
- Receive equal opportunities training on induction in order to improve their understanding of the Equality Act 2010 and its implications.

## **Equality Impact Assessment**

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

## **Monitoring the Implementation and Effectiveness of the Policy**

The practical application of this policy will be reviewed termly or when the need arises by the coordinator, the Principal and specialist advisers as listed below.

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented those in charge of to the governance for further discussion and endorsement.

<b>Staff Responsible for Monitoring</b>	<b>Position</b>
<b>Mrs M Brown</b> <b>Mr M Partington</b> <b>Mrs D York</b> <b>Mrs T James</b>	Principal / Designated Safeguarding Officer Administration SENCO / Designated Safeguarding Officer Early Years Manager / Designated Safeguarding Office



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When did it happen?	Date:	Time:

