

## COMPLAINTS PROCEDURE

### Introduction

The Cothill Trust has long prided itself on the quality of the teaching and pastoral care provided to its pupils in its schools. However, if parents do have a complaint, they can expect it to be treated by the School with care and in accordance with this Complaints Procedure. Trust Schools make the Complaints Procedure available to all parents of pupils and of prospective pupils on the School's website, and will ensure that parents of pupils and of prospective pupils who request it are made aware that this document is published or available.

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. 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(a) or (c) of the School's Terms and Conditions (Parent Contract) 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.

In accordance with paragraph 32(1)(b) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, each of the Trust Schools will make available to parents of pupils and of prospective pupils and provide, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate, details of the School's Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year.

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

### 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 your child and you can be assured that your child will not be penalised for a complaint that you [or your child] raise[s] in good faith.

### The three-stage Complaints 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 son/daughter'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 for him/her to consult the Deputy Head.

- Complaints made directly to the Deputy Head/the Head will usually be referred to the relevant Form teacher unless the Deputy Head/the Head deems it appropriate for him/her to deal with the matter personally.
- The Form teacher 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 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 Complaints Procedure.
- If, however, the complaint is against the Head, parents should make their complaint directly to the Chief Executive of the Cothill Trust 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 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, within 5 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, 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 his/her decision.
- If the complaint is against the Head, the complaint should be made to the Chief Executive. The Chief Executive will call for a full report from the Head and for all the relevant documents. The Chief Executive 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 Chief Executive 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 Chief Executive 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 will be referred to the Chief Executive who has been appointed by the Chair of Trustees to call hearings of the Complaints Panel.
- The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of three persons independent of the management of the School. The Chief Executive on behalf of the Panel, will then acknowledge the complaint 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. 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. This may be a relative, teacher or friend. Legal representation will not be appropriate.
- 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 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 will be sent by electronic mail or otherwise given to the parents, and, where relevant, the person complained about as well as the Chairman of the Trustees and the Head.
- Any complaint about a decision taken by the Head to exclude or require the removal of the pupil under clause 7(a) or 7(c) of the School's Terms and Conditions (Parent Contract) will be governed by this Stage 3 of the School's Complaints Procedure. In such circumstances, the Panel may only uphold the complaint if they 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 and sensitively. They will be acknowledged within 5 working days if received during term time and as soon as practicable during holiday periods.

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.

#### 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 informal stage, the formal stage or proceed to a panel hearing 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 <https://www.cothilltrust.org/about-us/data-protection>. 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 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
- The Panel's written decision

This may include 'special category personal data' (as further detailed in the School's Privacy Notice, but potentially including sensitive data such as information relating to physical or mental health) where this is necessary owing to the nature of the complaint.

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 Retention of Records

policy but in most cases for a period of at least seven years after the pupil leaves the School.

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.

**THIS SECTION MUST BE INCLUDED BY EYFS PROVIDERS, RELATING TO THE REQUIREMENTS UNDER THE STATUTORY FRAMEWORK FOR THE EYFS: [School name]** 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 for at least **[3/number]** years.]

For the academic year 2019 the School received **[number]** formal complaints.

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 may be contacted on 0300 1234 234 or by email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

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

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