



# The Children's House

## COMPLAINTS PROCEDURE

### INTRODUCTION

#### **Circulation:**

This policy is addressed to the Senior Leadership Team, to all members of the teaching and pastoral staff and to all parents. It is available to all current and prospective members of the school community via the School website. It is displayed on the Parent Noticeboards in the school and is available from the School office on request.

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 whom the complaint relates was still registered as a pupil at the school.

#### **Policy Status:**

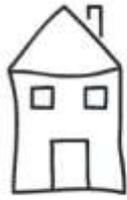
This policy has been approved by the Council of Management and Headteacher of The Children's House School (**School**). It is in accordance with paragraph 32(1) (b) of schedule 1 to the Education (Independent School Standards) Regulations (2014). The School will make available to parents of pupils (and prospective pupils) and provide, on request, to the Chief Inspector, the Secretary of State or Ofsted, details of the Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year.

Since 1<sup>st</sup> October 2015, schools have been required by the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015 to provide parents at the conclusion of the final stage of the Complaints Procedure with the name and address of an ADR entity (such as a mediation or arbitration body) which would be competent to deal with any unresolved dispute, should both parties wish to engage in ADR. Schools are not required to include information about ADR in the Complaints Procedure itself. On providing information about a certified ADR provider, schools are also required to notify the parents whether they are obliged and/or prepared to enter into ADR. Schools are not required to enter into ADR.

The policy applies to all sections of the School including Early Years. The procedures set out below may be adapted as appropriate to meet the policy aims and circumstances of each case. The Early Years Foundation Stage sets out specific standards in its statutory framework and these are referred to in our procedures as and when they occur.

#### **What Constitutes a Complaint?**

The Independent School Standards and the Department for Education (DfE) do not distinguish between 'concerns' and 'complaints'. Any matter about which a parent of a pupil is unhappy and seeks action by the School is a



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complaint and is in the scope of this Complaints Procedure whatever the School labels it as. 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 Complaints 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.

## **Confidentiality:**

All concerns and complaints, whether raised informally or formally, will be treated seriously and confidentially.

## **Aim:**

The aim of this policy is to ensure that a concern or complaint is managed sympathetically, efficiently and at the appropriate level, and resolved as soon as possible, so that it is fair to those concerned and promotes parents' and pupils' confidence in our ability to safeguard and promote welfare. We will try to resolve every concern or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing our systems and procedures in light of the circumstances.

## **Policy Statement:**

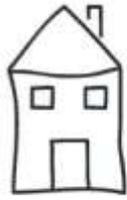
We need to know as soon as possible if there is any cause for dissatisfaction. We recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment, which would be damaging to relationships and to our school culture. Parents and pupils should never feel – or be made to feel – that a complaint will be taken amiss or will adversely affect a pupil or his/her opportunities at the School. The policy however, distinguishes between a concern or difficulty which can be resolved informally and a formal complaint which will require investigation.

## **COMPLAINTS PROCEDURE**

This policy describes a three stage 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 class teacher. In many cases, the matter will be resolved straightaway by this means, to the parents' satisfaction. If the class teacher cannot resolve the matter alone it may be necessary for them to consult the Headteacher

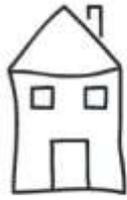


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- Complaints made directly to the Headteacher will usually be referred to the relevant class teacher unless the Headteacher deems it appropriate to deal with the matter personally
- The class teacher will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved within five working days, or in the event that the class 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 Headteacher, parents should make their complaint directly to the Chair of the Council of Management. Correspondence should be sent to Dawn Brindle via the School office which is 77 Elmore Street, London N1 3AQ or via email to [dawnbrindle@childrenshouseschool.co.uk](mailto:dawnbrindle@childrenshouseschool.co.uk).

## **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 Headteacher
- Although all formal complaints must be made in writing, this does not mean that the formal stage is automatically triggered whenever a concern is expressed in writing, for example by email
- The Headteacher will decide, after considering the complaint, the appropriate course of action to take
- In most cases, the Headteacher will meet the parents concerned, normally within five 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 Headteacher to carry out further investigations
- The Headteacher will keep written records of all meetings and interviews held in relation to the complaint and will file them in the Complaints folder
- Once the Headteacher 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 Headteacher will also give reasons for the decision.
- If the complaint is against the Headteacher, the Chair of Governors will call for a full report from the Headteacher and for all the relevant documents. The Chair 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 the decision



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- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure
- The Headteacher will record whether the complaint was resolved at the Formal Resolution stage or whether it proceeded to Stage 3 of this procedure. The record will be filed in the Complaints folder

## **Stage 3: Independent panel hearing**

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they will be referred to the convenor who has been appointed by the Governors 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 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. DfE guidance on the identity of the independent panel member is set out in Appendix 1. The convenor, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 10 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 normally not later than five 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 normally 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, normally within five working days of the hearing (though 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 the Council of Management and the Headteacher. A copy of the Panel's findings and recommendations (if any) will also be made available for inspection on the School premises by the Council of Management and the Headteacher



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- The Panel's letter will include the name and address of a certified alternative dispute resolution (ADR) entity and will indicate whether the School is obliged and/or prepared to enter into ADR
- Any complaint of a decision taken by the Headteacher to exclude or require the removal of a pupil 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 Headteacher, that the Headteacher's decision to exclude/require the removal of the pupil was not a reasonable decision for the Headteacher to have taken.

### **Timeframe for Dealing with Complaints:**

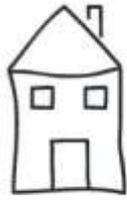
All complaints will be acknowledged within **five working days** if received during term time and as soon as practicable during holiday periods.

Timescales for each stage are set out below in the relevant paragraphs, including times for complaints received during the school holidays or shortly before the commencement of a school holiday. When we refer to "working days" we mean Monday to Friday when the School is open during term-time. The dates of terms are published on the School's website. The School's target is to complete the first two stages of the procedure within **30 working days** if the complaint is lodged during term-time and as soon as practicable during holiday periods. Stage 3, the Appeal Panel Hearing, will be completed within a further **30 days** if the appeal is lodged during term-time and as soon as practicable during holiday periods.

### **Record:**

Following resolution of the complaint, a written record will be kept of all complaints, and of whether they are resolved at Stage 1, 2, 3 or proceed to a Panel Hearing. At the School's discretion additional records may be kept which may contain the following information:

- Date when the issue was raised
- Name(s) of parent(s)
- 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



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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, but in most cases for a period of at least six years after the pupil leaves the School (subject to the supervening requirements of the Independent Inquiry into Child Sexual Abuse set out in Appendix 2). 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 or where any other legal obligation prevails. As required by the statutory framework for the Early Years Foundation Stage (EYFS), the School will provide 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 three years (subject to the supervening requirements of the Independent Inquiry into Child Sexual Abuse set out in Appendix 2).

In the academic year 2017/2018 the School received no formal complaints.

Parents may complain directly to Ofsted if they believe the school is not meeting the EYFS requirements. Schools must make available details of how to contact Ofsted

This Policy was agreed by the Council of Management in February 2019. It will be reviewed again in one year's time.

**Signed:** Dawn Brindle Chair of the Council of

Management

## **APPENDIX ONE – APPOINTING AN INDEPENDENT MEMBER OF THE PANEL**

The DfE give the following advice on the selection of an independent panel member for involvement at Stage 3 of the Complaints Procedure:

'Our general view is that suitable people would be those who have held positions of responsibility and who are used to analysing evidence and putting forward balanced arguments/points. It would add credibility if independent



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panel members had some standing in the local community. In this connection, serving or retired business people, civil servants, heads or senior members of staff at other schools, people with a legal background – perhaps retired members of the Police Force – might be considered suitable by schools. Schools will have their own views and may well have other suitable suggestions to make.'

## APPENDIX TWO – CONTACTING OFSTED AND THE HEADTEACHER

- Ofsted may be contacted as follows:  
Ofsted  
National Business Unit  
The Royal Exchange Buildings  
St Anne's Square  
Manchester N2 7LA  
Tel: 0300 1234 234 or by email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)
- The Chair of the Council of Management can be contacted as follows:  
  
Mrs Dawn Brindle  
The Children's House  
77 Elmore Street  
London N1 3AQ  
[dawnbrindle@childrenshouseschool.co.uk](mailto:dawnbrindle@childrenshouseschool.co.uk) or via the school office.
- The Headteacher of the Nursery can be contacted as follows:  
  
Ms Salima Keshavjee  
The Children's House  
77 Elmore Street  
London N1 3AQ  
Tel: 020 7354 2113  
[salimakeshavjee@childrenshouseschool.co.uk](mailto:salimakeshavjee@childrenshouseschool.co.uk) or via the school office.
- The Headteacher of the Upper School can be contacted as follows:  
  
Mrs Kate Orange  
The Children's House School  
King Henry's Walk  
London N1 4PB  
Tel: 020 7249 6273  
[kateorange@childrenshouseschool.co.uk](mailto:kateorange@childrenshouseschool.co.uk) or via the school office.