

COMPLAINTS PROCEDURE

This procedure applies to parents of pupils of the school and past pupils, if a complaint was raised when the pupil was still registered. The complaints procedure is publicly available on the school website www.orchardschool.org.uk and, on request, a copy (which can be made available in large print or other accessible format is required) may be obtained from the school office.

Legal Status:

This policy incorporates the manner in which complaints are to be managed in accordance with Part 7, paragraph 33 (a) to (k) inclusive, along with the provision of information being made available in Part 6 Paragraph 32 (3) (f) of The Education (Independent School Standards) (England) Regulations 2014 and associated guidance.

Applies to:

- Orchard School where the record of complaints is kept for a minimum of three years;
- the whole school including the Early Years Foundation Stage (EYFS), out of school care, the breakfast club, the after school clubs, the holiday club and all other activities provided by the school, inclusive of those outside of the normal school hours;
- all staff (teaching and support staff), students on placement, the proprietor and volunteers working in the school.
- the parents of pupils of the school;
- past pupils, if a complaint was raised when the pupil was still registered but does not cover exclusions.

Timescale:

- The process of dealing with a complaint in writing from the moment that it is received by the school to resolution will take no more than **twenty-eight (28) working days**, except in circumstances in which the normal timescales are affected by issues that delay resolution; namely school holidays and other factors.

Availability:

- The Concerns and Complaints Policy is clearly provided in the information for prospective pupils, parents and guardians, when a parent makes an enquiry for admission to the school.
- This Policy is also made available to parents, staff and pupils on the School website: www.orchardschool.org.uk
- It is also made available to parents or guardians of pupils on request to the school office, during the school day, or by e-mail: admin@orchardschool.org.uk

Monitoring and Review:

- The Headmistress logs all complaints received by the school and records at which stage and how they were resolved. The record includes, at least: the person making the complaint, the date of the complaint, the nature of the complaint, any action taken and the outcome of the complaint. The logging of complaints for management purposes enables patterns of concern to be monitored.
- The Proprietor monitors the complaints policy, to ensure that all complaints are handled properly, taking into account any local or national decisions that affect the complaints process, and making any modifications necessary to this policy. They also retain details of the number of complaints, registered under the formal procedure during the preceding school year.
- The Headmistress (who is also the Proprietor) will undertake a formal annual review of this policy for the purpose of monitoring and of the efficiency with which the related duties have been discharged, by no later than January 2023, or earlier if significant changes to the systems and arrangements take place, or if legislation, regulatory requirements or best practice guidelines so require.

Signed:

Date: January 2022

Mrs A.R. Burton Headmistress and Proprietor

Introduction

Orchard School prides itself on the quality of the teaching and pastoral care provided to all of its pupils. However, if parents wish to make representations or have a formal complaint, they can expect it to be treated by the School in accordance with this Procedure. This procedure encompasses the Early Years Foundation Stage (EYFS) pupils in school. It is the aim of this procedure to resolve complaints either to the parent's satisfaction, or with an otherwise appropriate outcome which balances the rights and duties of pupils. Pupils will not be penalised for making a complaint in good faith. We aim to be open about the decisions we make and the actions we take and will always explain our rationale. Those who have complaints should feel these can be voiced and that they will be taken seriously.

A complaint is likely to arise when there are issues of physical or emotional well-being and security at stake, or when the school's stated aims or values are being ignored. A breach of the law will always constitute a complaint. At every stage of the procedure, the handling of the complaint will be swift (using the agreed time frame), fair and necessarily confidential. Throughout the process, Orchard School will be willing to: listen, learn, admit mistakes, apologise if appropriate, address any issues raised and change practices and procedures if appropriate

The Nursery (Early Years Foundation Stage i.e. under one to Three years of age) Complaints Process.

This policy includes the requirements that apply to Early Years Foundation Stage (EYFS) settings. All complaints made in writing or in electronic form from parents/carers of nursery children who have not yet joined the school, where these relate to one or more of the welfare requirements or conditions of registration will be investigated by Headmistress. The parent/carer who made the complaint will be provided with an account of the findings taken as a result within 28 days. If the parent is not satisfied with the findings, they should put their complaint to Ofsted/ISI for review. The record of complaints is made available to Ofsted/ISI on request at the next inspection.

The Complaints Process

At all stages in the complaints process a written record is to be kept of the date a resolution was reached and the agreed nature of this. The parents will then be informed in writing.

Informal Resolution

(References to the number of working days refer to term-time only)

- It is hoped that most complaints and concerns will be resolved quickly and informally.
- Any person with a complaint should normally raise it in person with the member of staff/individual concerned.
- The member of staff/individual involved will make a written record of all concerns and complaints and the date on which they were received. Our ideal is that no concern should ever become a formal complaint, as through open dialogue, a resolution should always be accomplished.
- For matters on the curriculum, subject related issues or general academic concern, please contact the Deputy Head.
- For matters concerning finance, fees and non-academic services, please contact the Bursar.
- For matters regarding after school care, please contact the Deputy Head
- If the member of staff/individual cannot resolve the matter alone, it may be necessary to consult the Deputy Head.
- Should the matter not be resolved within **seven (7) working term days**, or in the event that Orchard School and the parents fail to reach a satisfactory resolution, parents will be advised to proceed with their complaint in accordance with Stage 2 of this procedure.

Stage 2 – Formal Resolution

(References to the number of working days refer to term-time only)

- If the complaint cannot be resolved on an informal basis then the parents should put their complaint in writing to the Headmistress who will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Headmistress will either meet or speak to the parents concerned, normally within **three (3) working term days** of receiving the complaint, to discuss the matter. Ideally this would take place on the day

that the complaint is received. The Headmistress will establish what has happened so far and who has been involved; clarify the nature of the complaint and what remains unresolved and what the parents feels would resolve the issue. If possible, a resolution will be reached at this stage.

- It may be necessary for the Headmistress to carry out further investigations.
- The Headmistress will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Headmistress is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and the parents will be informed of this decision in writing within **fourteen (14) days**, if possible. The Headmistress will give reasons for the decision. A written record will also be kept of when a final outcome was reached.
- Should a parent or guardian have a complaint about the Headmistress it must be put in writing to the Headmistress, who investigates in the same way as with any other complaint?

Stage 3 – Complaints Panel Hearing

- If the parents remain unhappy with the response from the Headmistress, then the Bursar will arrange for a hearing of the Complaints Panel.
- Parents will be asked to provide the specifics of the complaint in writing
- The matter will then be referred to the Complaints Panel within **seven (7) days** for consideration. The panel will consist of at least three (3) people who were not directly involved in the matters detailed in the complaint. The panel members are appointed by the Proprietor. The Proprietor will normally be a member of the panel. At least one panel member is independent of the management and running of the school and will include a person who is independent of the school. The Department for Education has given the following guidance on the identity of an independent panel member. *“Our general view is that people who have held a position of responsibility and are used to scrutinising evidence and putting forward balanced arguments would be suitable. Examples of persons likely to be suitable are serving or retired business people, civil servants, Headmistress’ or senior members of staff at other schools, people with a legal background and retired members of the Police Force might be considered.”*
- The Bursar, on behalf of the Proprietor, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within **fourteen (14) days** of referral to the panel. A secretary will be present to take notes
- If the Complaints 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 five (5) days prior to the hearing.
- The parents may be accompanied to the hearing. This may be a relative, teacher or friend.
- If possible, the Complaints Panel will resolve the parents complaint immediately without the need for further investigation.
- Where further investigation is required, the Complaints Panel will decide how it should be carried out. After due consideration of all facts they consider relevant, the Complaints Panel will reach a decision and may make findings and recommendations, which it shall complete normally within **five (5) days** of the Hearing.
- The Complaints Panel’s findings, and, if any recommendations and the reasons for them will be sent by electronic mail or in writing to the parents and, where relevant, the person complained about. These findings and recommendations will be available for inspection on the school premises and kept by the Proprietor and the Headmistress for at least **three (3) years**. The decision of the panel will be final.
- Our school will take the Complaints Panel findings seriously and will make appropriate changes to policies, procedures and practices as a result.

Summary of Time Scales

During School Time:

- *Stage 1 Informal resolution:*
Resolved in seven (7) days or progress to Stage 2
- *Stage 2 Formal resolution:* Response to parents within **three (3) days** for meeting to resolve. If still unresolved or a further investigation needed, a letter from the Headmistress will be received by the parents within **fourteen (14) days** of the initial meeting.

- **Stage 3 Panel Hearing:**

Complaint sent to the Complaints Panel within **seven (7) days**. The date of the hearing is to be set normally no later than **fourteen (14) days**. Copies of the particulars of the complaint are supplied to all parties not later than **five (5) days** prior to the hearing. If possible the parent's complaint will be resolved immediately. If further investigation is required, a decision will be sent within **five (5) days** of the hearing.

During Holiday Periods

The complaint will normally be resolved within **twenty-eight (28) days** of the lodging of the complaint to its resolution whenever possible. Allowable exceptions to this rule are for instances when persons involved in the complaint are unavailable during holiday periods. In this case the parents will be kept informed. However, as far as possible, the meeting should not be delayed if the referral comes at the end of term, especially at the end of the Summer Term. Since the aim of the procedure is to resolve the issue and effect reconciliation, if necessary, it will be best if the matter can come to the Panel as quickly as possible, especially if the parents will already have been engaged over a longer period in attempts to put things right.

Confidentiality

Parents and Guardians can be assured that all concerns and complaints will be treated seriously and confidentially. Such correspondence, statements and records relating to individual complaints, are to be kept confidential except;

- where the Secretary of State or a body conducting and inspection under section 162A of the 2002 Act requests access to them; or
- where any other legal obligation prevails.

Record keeping for the Whole School

A written record is kept of all complaints:

- whether they are resolved at the informal stage or following a formal procedure, or proceeding to a panel hearing,
- action taken by the school as a result of these complaints (regardless of whether they are upheld): and
- provides that correspondence, statements and records relating to individual complaints are to be kept confidential expect where the secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access to them.

The Proprietor examines this written record on an annual basis. The school will provide, on request to ISI, a written record of all complaints made during a specified period and the action that was taken as a result of each complaint. The number of formal complaints, received in an academic year, is made available to parents.

Child Protection/safeguarding

For any complaint that involves actual or potential child protection issue(s), this must be reported immediately to the Headmistress (See our Child Protection Policy for details of the procedure).

In addition to the Complaints Procedure detailed above, parents of children in the Early Years Foundation Stage (EYFS) may also make a complaint to Ofsted should they wish to, the relevant contact details are:

- Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD.
Telephone: 03001231231 Web: www.ofsted.gov.uk Email: enquiries@ofsted.gov.uk

Additionally, parents can raise concerns by writing to the Independent Schools inspectorate who details are:

- Independent Schools Inspectorate, CAP House, 9-12 Long Lane, London, EC1A 9HA
Telephone: 020 7600 0100 or to: concerns@isi.net.

In the last academic year 2021 to 2022, the school has received no formal complaint.

