

The Governing Body of Denstone College understands its regulatory responsibilities and will maintain an effective oversight of this policy, by evaluating its effectiveness, and reviewing and implementing change.

COMPLAINTS PROCEDURE

The College has a long history of providing its pupils with high quality teaching and pastoral care. However, if parents do have a complaint they can expect that it will be dealt with in accordance with this procedure. This procedure is made available on the College website as well as by request at the College. (See Appendix 1 for a flow chart of proceedings)

Stage One – Informal Resolution

- It is hoped that most complaints and concerns will be resolved quickly and informally.
- If parents have a complaint they should contact their child's Tutor, or their Head of Boarding House (boarding pupils) or Head of House (day pupils). In many cases, the matter will be immediately resolved by this means to the parents' satisfaction. If the Tutor, Head of Department, Head of School/Moss Moor or Head of House cannot resolve the matter alone, it may be necessary to consult a member of the Senior Management Team.
- Complaints regarding the Prep division should first be made to the Head of Prep. Any written complaint made about the fulfilment of the EYFS requirements must be investigated and the complainant notified of the outcome of the investigation within 28 days. The record of such a complaint must be made available to OFSTED and ISI on request.
- Complaints made directly to the Head will usually be referred to the relevant member of staff unless the Head deems it appropriate for her to deal with the matter personally.
- The Tutor, Head of Department, Head of Boarding Houses, or Head of House will make a written record of all concerns and complaints and the date on which they were received. Complaints will be logged as a 'complaint' on CPOMS (where applicable).
- SMT will review this process and analyze records on a termly basis.
- Should the matter not be resolved within 2 weeks, or in the event that the Tutor, Head of Boarding House or Head of House and the parent fail to reach a satisfactory resolution, then parents will be advised to proceed with their complaint in accordance with Stage Two of this Procedure.

Stage Two – Formal Resolution

- If the complaint cannot be resolved on an informal basis then the parents should put their complaint in writing to the Head within 14 days of the lack of resolution from Stage One of this procedure. The Head will decide, after considering the complaint, the appropriate course of action.
- In most cases, the Head will speak to the parents concerned, normally within 7 days of receiving the complaint during term time, 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, as far as is practicable, that all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing within 21 days. The Head will give reasons for her decisions.
- Appeals process: If parents are still not satisfied with the decision they should proceed to Stage Three of this procedure. This should occur within 30 days of receiving the Head's response to the formal complaint.

Stage Three – Panel Hearing

- If parents seek to invoke Stage Three following failure to reach an earlier resolution they will be referred to the Chair of Governors of the College.
- The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of three people not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the school. The independent member of the panel will not include someone who regularly acts for the school such as a particular solicitor. Suitable independent panel members would likely be people who have held a position of responsibility and are used to scrutinizing evidence and putting forward balanced arguments. Examples of persons likely to be considered would be serving or retired business people, civil servants, heads or senior members of staff at other schools, people with a legal background and retired members of the Police Force. Each of the Panel members shall be appointed by the School Council. The Chairman of Governors, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as possible and normally within 21 days.
- The College should provide the Panel with clear terms of reference as regards the complaint.
- 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 7 days prior to the Hearing.
- The parents may be accompanied to the hearing by one other person, for example a relative, or friend. Legal representation will not normally be appropriate and parents are not entitled to insist on this. Should the parent decide not to attend the hearing, the panel will still convene and consider the parent's complaint in his/her absence and issue findings on the substance of the complaint thereby bringing the matter to a conclusion. This requirement to proceed does not prevent the College from accommodating parental availability for dates or considering comments concerning the composition of the panel.
- The Panel will consider the full merits of the complaint.
- 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 21 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 recommendations, if any, will be sent in writing to the parents, the Head, the Governors and, where relevant, the person who is the subject of the complaint. The Panel's findings will be available for inspection on the school premises by the Governors and the Head.

A written record of all informal and formal complaints that are made will be kept by the College. This will include a record of the resolution (whether at Stage Two or if it progresses to Stage Three Panel Hearing), it will include whether the complaint was related to boarding provision and it will include the action taken by the College regardless of whether the complaint is upheld.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. In light of the Covid pandemic, it is recognised that there may be some flexibility required to timeframes contained within this policy to allow for extenuating circumstances for parents to escalate their complaints or indeed for the College to respond in light of disruption at school such as staff absence.

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 108 or 109 of the 2008 Act (Education and Skills Act 2008) requests access to them, or where any other legal obligation prevails. Complaints not involving safeguarding implications will be retained for a minimum of 7 years at the College. Where there is a safeguarding angle, complaints must be preserved for the term of the Independent inquiry into Child Sexual Abuse and at least until the accused has reached normal pensionable age or for 10 years from the date of the allegation if it is longer.

If a complaint has been considered by at all three stages of the policy, there is no further recourse within the scope of the policy. Any repeated attempt by a parent to raise the same complaint is therefore outside the scope of the policy.

Written complaints relating to the requirements under the statutory framework for EYFS:

Any written complaints about the fulfilment of the EYFS requirements must be investigated and the complainant notified of the outcome of the investigation within 28 days. Denstone College 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.

Parents and pupils may also contact the following with a complaint (these are also listed in student planners):

Pupils' Welfare Issues: Local Authority Designated Officer (LADO) via Staffordshire Children's Advice and Support Team: 0800 131 3126

Contact Details of Inspection Bodies as regards complaints:

The Independent Schools Inspectorate – email: concerns@isi.net ; telephone: 020 7600 0100

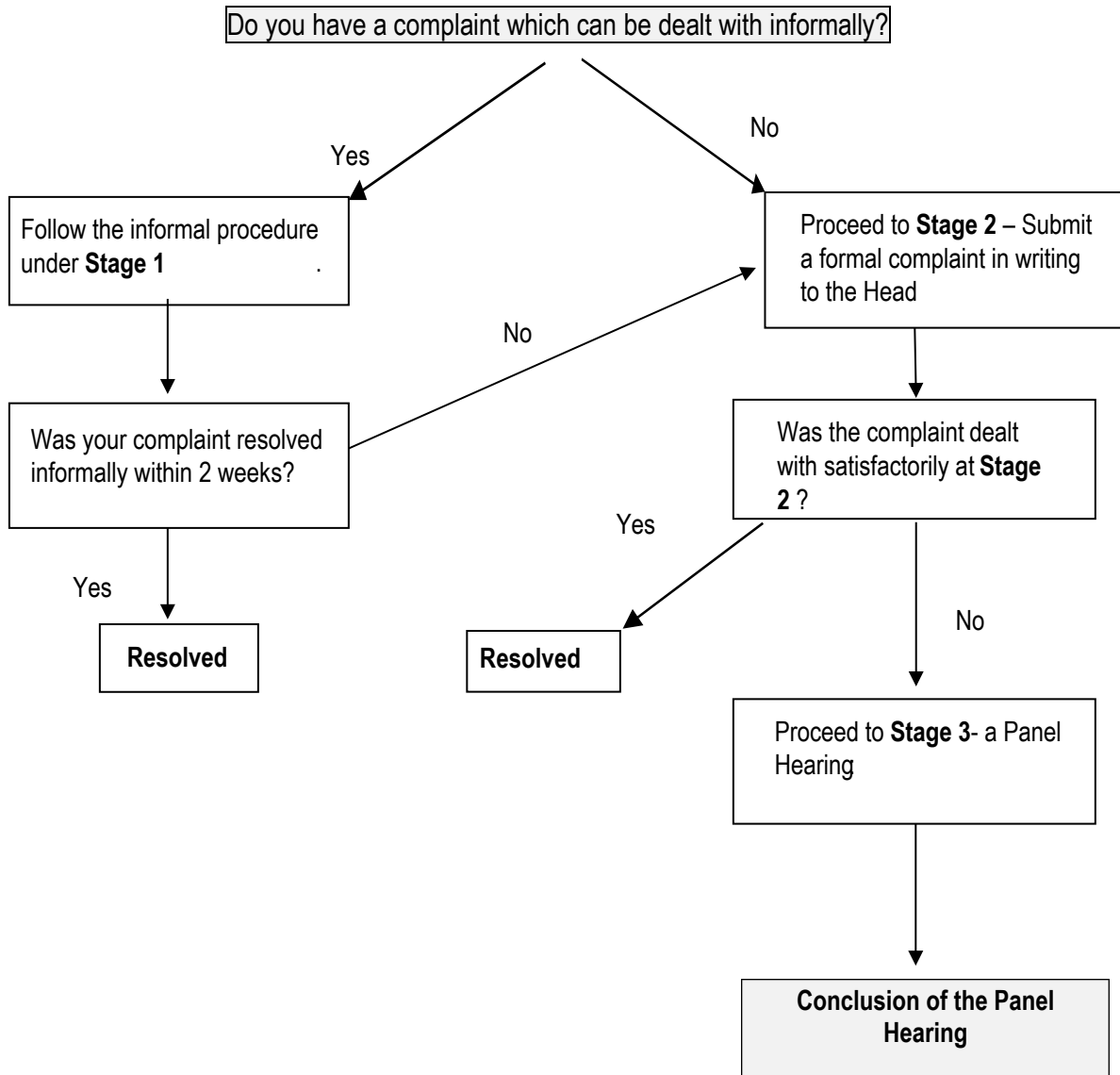
OFSTED – email: enquiries@ofsted.gov.uk ; telephone: 0300 123 4666

Monitoring the Effectiveness of the Complaints Procedures

In order to ensure that the Complaints procedures are effective, efforts are taken to identify any patterns or trends in the causes of complaints. As such the complaints file kept in the Head's Office is reviewed by the SMT once per term.

| *Number of formal complaints (Stage 2) received in this academic year: 2022/23: 1 (of which relating to boarding: 0)*

Appendix 1: Flowchart of Proceedings



Appendix 2 Unreasonable complaints

We are committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with us. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

We adopt the Department for Education definition of unreasonable complainants as those who, because of the frequency or nature of their contacts with the School, hinder our consideration of their or other people's complaints.

Unreasonable complaints are taken seriously by the School as they put a strain on valuable resources and hinder the progress of proper investigations. The School may judge that a complaint is unreasonable by assessing a number of factors, including those that are outlined below.

1 **A complaint may be regarded as unreasonable when the person making the complaint:**

- 1.1 refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- 1.2 refuses to cooperate with the complaints investigation process while still wishing their complaint to be resolved;
- 1.3 refuses to accept that certain issues are not within the scope of a complaint's procedure;
- 1.4 insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- 1.5 introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- 1.6 makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- 1.7 changes the basis of the complaint as the investigation proceeds;
- 1.8 repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- 1.9 refuses to accept the findings of the investigation into that complaint where our complaint procedure has been fully and properly implemented and completed;
- 1.10 seeks an unrealistic outcome;
- 1.11 makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

2 **A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:**

- 2.1 maliciously;
- 2.2 aggressively;
- 2.3 using threats, intimidation or violence;
- 2.4 using abusive, offensive or discriminatory language;
- 2.5 knowing it to be false;
- 2.6 using falsified information;
- 2.7 publishing unacceptable information in a variety of media such as in social media websites and newspapers.

3 **A complaint may also be considered unreasonable if it is manifestly unjustified, inappropriate, or an improper use of formal procedure.**

In assessing this, the School shall have regard to all the circumstances of the case and the nature of the complaint itself rather than the nature of the complainant. In assessing all of the circumstances of the case the School will consider a range of factors including:

- 3.1 whether a complaint has reasonable foundation;
- 3.2 the history and context of the complaint (and any evidence where relevant);
- 3.3 whether the time and cost of investigating the complaint is proportionate to the issue(s) complained of;
- 3.4 whether an investigation of the complaint is likely to cause a disproportionate or unjustified level of disruption, irritation or distress;
- 3.5 unexplained delay in raising a complaint or issue;
- 3.6 if the purpose of the complaint is to obtain an outcome which is unavailable via the complaints procedure, such as a claim for compensation, damages or a refund of fees paid;
- 3.7 any evidence of a complaint being brought for an improper purpose.

Whenever possible, the Head will discuss any concerns with the complainant informally before dismissing a complaint as unreasonable. The Head will normally only do so after consultation with the Chair of Governors.

It is open to a complainant to request that a complaints panel be convened to determine the single issue of whether the School's dismissal of the complainant's original complaint(s) was justified.