1. **Introduction**

**Wakefield Independent School prides itself on the quality of the teaching and pastoral care provided to its pupils. If parents do have a complaint they can expect it to be treated by the School with care and in accordance with the policy.**

The School is required under the Education (Independent Schools Standards) Regulations 2014 to adopt, make available to parents of pupils and prospective pupils, and apply a complaints procedure in order to comply with the standards against which the OFSTED will be carried out. These procedures are also relevant to the Early Years Foundation Stage (EYFS).

It is important that parents and guardians who have concerns should have the opportunity to express their views and feelings and they should obtain a fair hearing and prompt response to any complaint they make.

This policy is available to download from the School website or is available on request from the School Office.

It is also important that the School should have due regard for the rights of all who work for them and that any complaints against members of staff should be handled in a professional manner.

1. **Definition of a Complaint**

A complaint is any matter about which a parent of a pupil is unhappy and seeks action by the School. 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 our pupils and parents can be assured that their children will not be penalised for a complaint that is made in good faith.

Complaints can fall into a number of categories. Some examples are listed below but the list is not exhaustive.

* Complaints may be about operational or administrative matters such as school procedures, school finances or a breach of contract. These complaints can be specific or general.
* Complaints may be about the handling of a situation by staff or the

management of the School.

* Complaints may relate to the behaviour of a pupil or group of pupils.
* Complaints may be academic in nature and relate to areas such as the service provided by the School, the content of a course, the quantity of homework being given or progress by a pupil in a particular subject.
* Complaints may involve a child who is unhappy at School, is being

Bullied.

* Complaints may be about operational or administrative matters or an inappropriate sanction for indiscipline.

1. **Child Abuse**

Any complaint or allegation that might be categorised as child abuse should be reported immediately in accordance with the School’s Child Protection and Safeguarding Policy.

1. **Complaints by Employees**

Complaints made by members of staff in their capacity as parents will be covered by this policy but complaints in respect of their employment by the School are covered by the Grievance procedure set out in the Terms and Conditions of Employment for teaching and support staff.

1. **Procedure**

The basic policy for complaints either verbal or written is to deal with them promptly, thoroughly and professionally. All complaints should be acknowledged within 72 hours with the promise of an effective enquiry and action, if appropriate. A copy of this policy should be sent to the parents.

The School should attempt initially to resolve complaints on an informal basis and will always endeavour to do this.

***Stage 1 – Informal Resolution***

It is hoped that most complaints and concerns will be resolved quickly and informally and in the majority of cases they will be resolved by an appropriate member of staff such as a form teacher, the relevant Head of Department, Lead Teacher or a member of SMT. Complaints made directly to the Deputy Head or the Head will usually be referred to the form teacher or Department. It is however reasonable for the Head to seek to resolve a complaint on an informal basis where appropriate.

If a complaint is made about the Head it should be addressed to the Chair of Governors (the Chair of Governors).

The School has in place a means of recording complaints and ensuring that they are dealt with promptly and effectively. Similarly, the School will have mechanisms in place (such as standing agenda items in SMT meetings) to monitor any emerging patterns of complaint so that suitable action might be taken.

Should the matter not be resolved within 10 working days or in the event that the parents and the School fail to reach a satisfactory resolution, then the parents will be advised to proceed with their complaint in accordance with Stage 2 of this procedure.

***Stage 2 – Formal Resolution***

Formal complaints under Stage 2 must be made in writing. If a complaint is significant or complex, such that it cannot easily be resolved on an informal basis, then it should be reported at once to the Head. If the complaint has been made directly to the Governors, they will inform the Head immediately and send a letter of acknowledgement to the parents within 72 hours.

If parents are alleging professional incompetence or neglect against a member of staff or alleges that a member of staff behaved unreasonably or unprofessionally, then the Head should be informed immediately.

The Head or Deputy Head as appropriate will take steps to ensure that the complaint is fully and properly investigated according to the rules of natural justice and always with regard to the best interest of the pupil or pupils concerned. All steps taken should be recorded in writing including interviews with individuals involved and any evidence or documentation should be preserved.

Once the Head is satisfied, as far as is possible, that all the relevant facts have been established, the Head will inform the parents in writing of her decision and the reasons for the decision. The parents will be informed of the decision within 20 working days of receipt of the complaint by the School.

If a complaint is made about the Head, it should be addressed to the Chair of Governors (*the Chair of Governors*). The Chair of Governors or any Governor

nominated by the Chair of Governors to review the complaint, will request a full report from the Head and for all the relevant documents. If necessary, a briefing with relevant staff may be called. Once the Chair of Governors/Governor is satisfied, as far as is possible, that the relevant facts have been established, the parents will be informed in writing of the decision and the reasons for the decision. The parents will be informed of the decision within 20 working days of receipt of the complaint.

***Stage 3 – Panel Hearing***

If the complaint or grievance has not been resolved under the Stage 2 above then the School will make provision for the complaint to be heard by a panel

appointed by the Governors. Parents should submit a formal written notice within 20 working days of receiving the outcome to the formal complaint to the Chairman of Governors.

*Note that Stage 3 is to be followed in the event of an appeal by parents/guardians against a decision by the Head to exclude a pupil.*

The panel will be convened to consider the complaint within 20 working days of receipt of the formal notice. The panel members will be appointed by the Chair of Governors and shall comprise at least three members, two of whom should not have not been directly involved in the matters detailed in the complaint. The third member should be a person independent of the management and running of the School. The Chairman of the Governors should also attend the hearing to ensure smooth running.

Parents may wish to supply additional information to the panel, or the panel may request further information in advance of the hearing. In either case all relevant documentation must be submitted at least 5 working days before the panel is scheduled to sit. Parents and other involved parties will be invited to appear before the panel to present information and/or answer questions. The Governors will accept written submissions from any party who is not able or does not wish to attend in person.

Parents or any other individuals not employed by the School who are invited to appear before the panel may be accompanied by one other person, if they wish. This person may be a relative or friend but legal representation will not normally be appropriate. An employee of the School invited to appear before the panel may only be accompanied by a colleague or a trade union representative.

The panel, in seeking to resolve the complaint, may adjourn the hearing or defer its decision, if this is considered appropriate to promote conciliation or obtain further relevant information.

The decision of the panel will be final and will be made within 5 working days of the panel meeting. The panel will make findings and recommendations and a copy of these findings and recommendations will be provided in writing within 10 days to the parents at their home address, and where relevant to the person(s) complained about.

A copy of the findings and recommendations will be available for inspection.

Notwithstanding the above time scale to resolve a complaint, in the event of an EYFS complaint, it should be resolved, including a panel hearing if required, within 28 days from receipt of the written complaint.

1. **Recording of Complaints**

The School will keep a written record of complaints that have been handled under the formal procedure described at Stage 2 and whether they were resolved under Stage 2, or whether they required a panel hearing under

Stage 3. Action taken by the School as a result of these complaints (regardless of whether they are upheld) will be recorded. The School will also keep its own records of informal complaints.

*Note: Documentation and records pertaining to complaints, which do not have*

*safeguarding implications, will be retained for a minimum of 7 years. Where there is a safeguarding angle, records concerning allegations of abuse will be preserved for the term of the Independent inquiry into Child Sexual Abuse and at least until the accused has reached normal pension age or for 10 years from the date of the allegation if it is longer.*

1. **There have been no Complaints since the last OFSTED during 2020/21/22**
2. **Provision of Information to OFSTED.**

Ofsted, on request, will be provided with a written record of all complaints,

including those related to EYFS, 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.

Parents may make a complaint directly to Ofsted if they believe the school is not meeting the EYFS requirements. Contact information for Ofsted, is as follows:

Ofsted - Piccadilly Gate, Store Street, Manchester, M1 2WD. The email address is enquiries@ofsted.gov.uk. The general helpline is 0300 123 1231 and the telephone number is 0161 618 8524.

Correspondence, statements and records relating to individual complaints will be kept confidential.

9. **Working Days**

For the purposes of this policy, working days are deemed to be Monday to Friday during School term time excluding bank holidays. Details of School term dates are available from the School website.

The School will attempt to resolve complaints that are made during holidays as soon as is practicable, but this will be dependent on the availability of relevant members of staff.

Appendix 1

Policy for Handling Unreasonably Persistent, Harassing or Abusive Complaints.

The Head teacher and Governing Body are fully committed to the improvement of our School.  We welcome feedback from parents/carers and will always try to resolve any concerns as quickly as possible.  There is a procedure for parents to use if they wish to make a formal complaint.

Sometimes, however, parents or carers pursuing complaints or other issues treat staff and others in a way that is unacceptable.  Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour towards any members of the school community.

The aim of this leaflet is to provide information about our school policy on unreasonably persistent complainants or harassment of staff.

**What do we mean by ‘an unreasonably persistent complainant’?**

An unreasonably persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint.  This will include persons who pursue complaints in an unreasonable manner.

Unreasonable behaviour may include:

* Actions which are

* Out of proportion to the nature of the complaint, or
* Persistent – even when the complaints procedure has been exhausted, or
* Personally harassing, or
* Unjustifiably repetitious
* An insistence on

* Pursuing unjustified complaints and/or
* Unrealistic outcomes to justified complaints
* Pursuing justifiable complaints in an unreasonable manner (eg using abusive or threatening language; or
* Making complaints in public or via a social networking site such as Facebook; or
* Refusing to attend appointments to discuss the complaint.

**What is ‘harassment’?**

We regard harassment as the unreasonable pursuit of issues or complaints, particularly if the matter appears to be pursued in a way intended to cause personal distress rather than to seek a resolution.

Behaviour may fall within the scope of this policy if:

* It appears to be deliberately targeted at one or more members of school staff or others, without good cause;
* The way in which a complaint or other issues is pursued (as opposed to the complaint itself) causes undue distress to school staff or others;
* It has a significant and disproportionate adverse effect on the school community.

**What does the School expect of any person wishing to raise a concern?**

The School expects anyone who wishes to raise concerns with the School to:

* Treat all members of the School community with courtesy and respect;
* Respect the needs of pupils and staff within the School;
* Avoid the use of violence, or threats of violence, towards people or property;
* Recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond to a complaint;
* Follow the School’s complaints procedure.

**School’s responses to unreasonably persistent complaints or harassment**

This policy is intended to be used in conjunction with the School’s complaints procedure.  Taken together, these documents set out how we will always seek to work with parents, carers and others with a legitimate complaint to resolve a difficulty.

However, in cases of unreasonably persistent complaints or harassment, the School may take some or all of the following steps, as appropriate:

* Inform the complainant informally that his/her behaviour is now considered by the School to be unreasonable or unacceptable, and request a changed approach;
* Inform the complainant in writing that the School considers his/her behaviour to fall under the terms of the Unreasonably Persistent Complaints/Harassment Policy;
* Require all future meetings with a member of staff to be conducted with a second person present.  In the interests of all parties, notes/summary minutes of these meetings may be taken and made available for all participants. The note taker cannot be requested to change their notes but any disparities may be recorded in the margin for the record;
* Inform the complainant that, except in emergencies, the School will respond only to written communication and that these may be required to be channelled through the School Governors.

**Physical or verbal aggression**

The Governing Body will not tolerate **any** form of physical or verbal aggression against members of the School community.  If there is evidence of any such aggression the School may:

* Ban the individual from entering the School site, with immediate effect;
* Call the Police to remove the individual from the premises, under powers provided by the Education Act 1996.
* Withdraw the pupil’s place in the School.

Legitimate new complaints will always be considered, even if the person making them is (or has been) subject to the Unreasonably Persistent Complaints/Harassment Policy.  The School nevertheless reserves the right not to respond to communications from individuals subject to the policy/

The Governors

Wakefield Independent School

Updated 01.9.22