



ORCHARD HOUSE  
SCHOOL

# **COMPLAINTS PROCEDURE FOR PARENTS**

**March 2022**

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### **Introduction**

The school prides itself on the quality of the teaching and pastoral care provided to their pupils. It is a fundamental tenet of the school's philosophy that its school be conducted with the active support of parents, in a partnership with parents at the level of each individual family, to achieve the best for the children. The procedure contained in this document, which applies to all parents of pupils at the school, including parents of Early Years Foundation Stage (EYFS) children, is intended to reflect the aim that any concern raised by a parent will be followed up with all appropriate seriousness.

### **What constitutes a complaint?**

1. 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.
2. 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 raise in good faith.
3. If one parent raises a complaint, the school is likely to involve the other parent (where applicable), for example by inviting both parents to meet the head and sending written communications to both parents. This is because the school considers it in the interests of maintaining an open dialogue with parents that both parents are kept informed.
4. References to 'school days' in this procedure are to term-time days for pupils.

### **Stage 1 – Informal resolution**

5. It is hoped that most complaints and concerns will be resolved quickly and informally.
6. If a parent has a complaint it should normally be made to the head. In many cases, the matter will be resolved straightaway to the parent's satisfaction. If the head cannot resolve the matter alone, it may be necessary for him/her to consult one or more members of staff and/or seek guidance from the governors.
7. Complaints made to a member of staff will invariably be reported to the head so that he/she may deal with it as described above.
8. The head 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 seven days or in the event that the head and the parent fail to reach a satisfactory resolution then the parent will be advised to proceed with their complaint in accordance with Stage 2 of this Procedure.

### **Stage 2 – Formal resolution**

9. If the complaint cannot be resolved on an informal basis, then the parent should put their complaint, or repeat it, in writing to the head. If a parent wishes to raise a formal

complaint, then this should be made clear in any correspondence sent to the school: the letter or email should be headed "Formal Complaint". The head will decide, after considering the complaint, the appropriate course of action to take.

10. In most cases, the head will meet or speak by telephone with the parents concerned, normally within three school days of receiving the complaint, to discuss the matter. An attempt will be made to reach a resolution at this stage. Otherwise, the head will respond formally and in writing normally within a further seven school days.
11. It may be necessary for the head to carry out further investigations and/or to invoke the school's internal disciplinary procedure (where the complaint concerns a member of staff). If this means that the head is unable to provide the formal response within seven school days, the school will inform the parents accordingly, although for reasons of employee confidentiality the parents will not be given information about any such disciplinary process.
12. The head will keep written records of all meetings and interviews held in relation to the complaint.
13. 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 the parents will be informed of this decision in writing. If the head has deemed it necessary or appropriate to invoke the school's internal disciplinary procedure, no final decision regarding the complaint will normally be made until that internal procedure has concluded. This is so that the disciplinary outcome is not prejudged. When the head is in a position to issue the decision, he/she will also give reasons for the decision.
14. If either parent is not satisfied with the head's decision, they should proceed to Stage 3 of this Procedure.

### **Stage 3 – Panel hearing**

15. If a parent seeks to invoke Stage 3 (following a failure to reach an earlier resolution), they will be referred to the governor (in this procedure, "the convenor") to call hearings of the complaints panel.
16. The convenor will then refer the matter to the complaints panel for consideration. The panel will consist of at least three persons not directly involved in the matter or matters detailed in the complaint, one of whom shall be independent of the management and running of the school. Each of the panel members shall be appointed by the chairman. 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 14 school days.
17. 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 three school days prior to the hearing.
18. The parents may be accompanied to the hearing by one other person of their choice. This may be a relative or friend. Legal representation will not normally be appropriate. The companion may address the panel, make representations on behalf of the parents and ask questions but may not answer questions posed by the panel to the parents.
19. If possible, the panel will resolve the parent's complaint immediately without the need for further investigation.

20. Where further investigation is required, the panel will decide how it should be carried out and on what date the panel will reconvene.
21. Within seven school days of the hearing (or final hearing) the panel will issue a written statement of its findings, decision and, if any, recommendations and send the statement to the parents, the head, the governors and, where relevant, the person complained of.
22. Written complaints about the fulfilment of the EYFS requirements will be investigated and the complainant notified of the outcome of the investigation within 28 days.

### **Records**

23. Where a panel has made findings or recommendations as provided for under paragraph 21 above, a copy of those findings and recommendations will be kept on the school premises (in the head's office) and be available for inspection by the head or the proprietor.
24. The school will keep a written record of all complaints where Stage 2 of this procedure, requiring formal resolution, has been invoked and of (i) whether they were resolved at that stage or proceeded to a panel hearing, and (ii) the action taken by the school as a result of those complaints (regardless of whether they were upheld). The record will be kept for at least three years.

### **Confidentiality**

25. All correspondence, statements and records of complaints and their outcomes will be kept confidential except where the Secretary of State or a body conducting an inspection under section 162A of the Education Act 2002, as amended, requests access to them or where any other legal obligation prevails. Correspondence, statements and records will be kept confidential except in so far as is required of the school by paragraph 33 of the Schedule to the Education (Independent School Standards) Regulations 2014 (the "ISS Regulations"); where disclosure is required in the course of the school's inspection; where the school refers the matter to its external advisers, bankers or insurers; or where any other legal obligation prevails.

### **Availability**

26. This procedure is readily available to parents of pupils at the school.

### **Application**

27. The school has had a complaints procedure in effect since 1 September 2003. The procedure was most recently reviewed by the governors on 10 December 2020 to check that it conforms with the requirements of (a) the ISS Regulations, and (b) Section 3 (The safeguarding and welfare requirements) of the Statutory Framework for the Early Years Foundation Stage (effective September 2021).

In addition, or as an alternative to invoking the procedure contained in this document, parents of EYFS children may, if their complaint is about the fulfilment of the EYFS requirements, complain to the Office for Standards in Education, Children's Services and Skills (Ofsted). Ofsted's contact details may be found at [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk) or call **0300 123 1231**.

The record of complaints is available to Ofsted on request.



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The number of complaints under the formal procedure received in the academic year 2019-2020 was 0 (zero).

The number of complaints under the formal procedure received in the academic year 2020-2021 was 0 (zero).

The number of complaints under the formal procedure received in the academic year 2021-2022 was 2 (two).

The number of complaints under the formal procedure received in the academic year 2022-2023 was 1 (one).