



**HURLINGHAM
SCHOOL
AND NURSERY**

EST. 1947

Complaints Procedure Policy

This policy applies to all activities of Hurlingham School, including the Early Years Foundation Stage.

Date of Review: September 2024
Date of Next Review: by 31 May 2025

Legal framework

This policy has due regard to legislation including, but not limited to, the following:

- Education and Skills Act 2008
- The Education (Independent School Standards) Regulations 2014
- Equality Act 2010
- The UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Freedom of Information Act 2000

This policy also has due regard to related guidance including, but not limited to, the following:

- DfE (2019) 'The Independent School Standards'

This policy will be implemented in accordance with the following school policies:

- Records Management Policy
- Grievance Policy

Introduction

Hurlingham School has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a complaint, they can expect it to be treated by the School in accordance with this Procedure. We actively encourage parents to talk to us whenever they have a worry or concern about their child and his or her life at Hurlingham School. All concerns are taken seriously, discussed thoroughly and recorded by Heads of Sections so that any patterns can be detected in the weekly SLT meeting. We aim to find a good solution to all matters. However, were this ever not to satisfy a parent so that concern remains, the parent would be asked to put the matter in writing to the head or principal and, within that letter, to request that the complaints procedure be put into action.

We will investigate all written complaints relating to fulfilment of the EYFS requirements and notify complainants of the outcome of the investigation within 28 days of having received the complaint.

Stage 1 – Informal Resolution

- We hope that most complaints and concerns will be resolved quickly and informally.
- If parents have a complaint they should normally contact their child's form teacher. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the form teacher cannot resolve the matter alone, it may be necessary for him or her to consult the Head and, in any case, should inform him of the outcome of the complaint.
- Complaints made directly to the Head will usually be referred to the relevant form teacher unless the Head deems it appropriate for him to deal with the matter personally.
- The form 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 5 working days or in the event that the form 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 Procedure.

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 Head. The Head will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Head will meet the parents concerned within 5 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 Head to carry out further investigations. These will be completed in 7 working days or as soon as is practicable.
- The Head will keep written records of all meetings and interviews held in relation to the complaint.
- 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 parents will be informed of this decision in writing. The Head will also give reasons for his decision. A copy of this letter will be sent to the Principal.
- The written decision will be issued within fourteen working days of receiving the complaint. If for any reason this is not possible, the Head will write to the parents within the fourteen working day period referred to above, stating the reason or reasons why he is unable to issue his decision and informing the parents when he will do so, which will be within twenty-eight working days of the receipt of the complaint in any event.
- If parents are not satisfied with the decision, they should proceed to Stage 3 of this procedure where a panel hearing will take place unless the parents later indicate that they are now satisfied and do not wish to proceed further.
- The panel hearing should proceed whether the parent attends or not. If necessary, the panel should 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. The requirement for the panel to proceed does not prevent the school from accommodating reasonable parental availability for dates or considering comments concerning panel composition. The School's arrangements for the panel hearing will be reasonable in order to facilitate the parents exercising the right of attendance.

Stage 3 – Panel Hearing

- Upon receipt of the written decision, if parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they are to write to the Head informing him of their decision to do so within 28 working days, whereupon the matter will be referred to the School Principal. The School Principal will then take responsibility for the organisation of a Complaints Panel hearing.
- The matter will then be referred to the Complaints Panel for consideration. The Panel will include one member who is independent of the management and running of the School. This means that they will not only be outside the School's workforce, and not a member of the School's Board of Advisors or Board of Directors but will also not be otherwise involved with the management of the School, for example the Head or senior member of staff at another school. The School Principal, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and within 21 working days.
- If the Panel deems it necessary, it may require (in writing) 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 5 working days prior to the hearing. Any such further particulars received within 5 working days before the hearing shall be disregarded and inadmissible to the panel because it will not be possible to provide copies to all parties within that timescale.
- The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.
- This stage will be a full-merits hearing of the complaint. If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation. However, should the panel decide at the hearing that further investigation is required, the panel shall decide how such investigations should be carried out and by when they should be concluded.
- If necessary, the panel will reconvene and, after due consideration of all the facts they consider relevant, will reach a decision and may make recommendations.
- **The decision of the Panel will be final.**

- A copy of the Panel's findings and recommendations will (if any) be sent by electronic mail or otherwise given to the parents and, where relevant, the person complained about. A copy will also be made available for inspection on the School premises by the proprietor and the Head.

A written record will be kept of all complaints made under the formal part of the procedure and of whether they are resolved at the preliminary stage or proceed to a Panel hearing. This will include details of any action taken by the school as a result of these complaints (regardless of whether they are upheld). Complaints which do not have safeguarding implications will be retained for a minimum of 7 years (a period determined by the 6-year inspection cycle with allowance for unforeseen circumstances). Where there is a safeguarding angle all records will be preserved at least until the accused has reached normal pension age or for 10 years from the date of the allegation if it is longer.

A further record is kept of 'concerns' or informal complaints and this is reviewed regularly by the SLT to enable any patterns of concern to be identified and monitored.

Parents can be assured that all complaints and concerns will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except in so far as it is required of the school by paragraph 6(2)(j) of the Education (Independent Schools Standards) (England) Regulations 2014 (as subsequently amended), by the Secretary of State except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access to them.

Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, this may be regarded as vexatious and outside the scope of this policy.

Footnotes:

1. In the event that a complaint involves or relates to a teacher, then the teacher will be kept fully informed in writing of the procedure being adopted in relation to the management of the complaint and supplied with copies of the documentation.
2. In the event of a panel hearing, the teacher will have the right to make representations to the panel.
3. In the event that a complaint is made against the management of the School, it may be deemed appropriate for the School Principal to appoint an independent person (likely to be the Head of a nearby school or other suitable professional) and possibly also two additional panel members who are independent of the management and running of Hurlingham School. The independent panel member(s) will be people who have held positions of responsibility and are used to scrutinising evidence and putting forward balanced arguments.
4. Records of any complaints are kept by the School for a minimum of seven years.
5. Parents of pupils in Nursery and Reception (EYFS) only should be aware that they are entitled to direct their complaint not only directly to the Independent Schools Inspectorate, CAP House, 9-12 Long Lane, London EC1A 9HA, but also to Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD (telephone: 0300 1231231) if their complaint is about the fulfilment of EYFS requirements and then only if the matter has not been resolved to a satisfactory solution by the school within 28 days.
6. We will provide ISI, on request, with a written record of all complaints made during any specific period, and the action which was taken as a result of each complaint.
7. We will provide Ofsted, on request, with a written record of all complaints relating to the requirements under the statutory framework for the 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 3 years.

No 'formal' complaints were received to necessitate the implementation of the Complaints Procedure Policy during the academic year 2023-24.