

# Complaints Procedure

## 1. Who can make a complaint?

- 1.1. This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to St. George's Independent School or Little Steps Nursery about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

## 2. The difference between a concern and a complaint

- 2.1. A concern may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.
- 2.2. A complaint may be defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.
- 2.3. It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. St. George's School and Little Steps Nursery take concerns seriously and will make every effort to resolve the matter as quickly as possible.
- 2.4. If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Head Teacher or Nursery Manager, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, you will be referred to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.
- 2.5. We understand however, that there are occasions when people would like to raise their concerns formally. In this case, St. George's School and Little Steps Nursery will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

## 3. How to raise a concern or make a complaint

- 3.1. A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.
- 3.2. Concerns should be raised with either the class teacher or Key Worker in the first instance. If the issue remains unresolved or the complaint is sufficiently serious, the next step is to make a formal complaint to the Head Teacher or Nursery Manager.

- 3.3. Complaints against school staff (except the headteacher) should be made in the first instance, to the Head Teacher or Nursery Manager and can be made via the school office. Please mark them as Private and Confidential.
- 3.4. Complaints that involve or are about the Head Teacher or Nursery Manager should be addressed to Ellie Graham, the Principal via the school office. Please mark them as Private and Confidential.
- 3.5. For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.
- 3.6. In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

#### **4. Anonymous complaints**

- 4.1. We will not normally investigate anonymous complaints. However, the headteacher, if appropriate, will determine whether the complaint warrants an investigation.

#### **5. Timescales**

- 5.1. We ask that you raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

## 6. Scope of this Complaints Procedure

- 6.1. A list of exceptions along with details of who to contact in each case is provided below.

<b>Exceptions</b>	<b>Who to contact</b>
<i>Statutory assessments of Special Educational Needs</i>	Concerns about statutory assessments of Special Educational Needs should be raised with Central Bedfordshire Council
<i>Matters likely to require a Child Protection Investigation</i>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns about a member of staff, you may wish to contact the local authority designated officer (LADO) at Central Bedfordshire Council who has local responsibility for safeguarding or the Central Bedfordshire Intake and Assessment Hub</p>
<i>Whistleblowing</i>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the Department for Education (see link above), depending on the substance of your complaint.</p>

<i>Staff grievances</i>	Complaints from staff will be dealt with under the school's internal grievance procedures.
<i>Staff conduct</i>	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.  Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
<i>Complaints about services provided by other providers who may use school premises or facilities</i>	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
<i>National Curriculum – content</i>	Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>

- 6.2. If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.
- 6.3. If a complainant commences legal action against St. George's School or Little Steps Nursery in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

## **7. Resolving complaints**

- 7.1. At each stage in the procedure, St. George's School and Little Steps Nursery want to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:
  - an explanation

- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

## **8. Withdrawal of complaint**

- 8.1. If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

## **9. Complaint Procedure**

### **Stage 1**

- 9.1. Formal complaints must be made to the Head Teacher or Nursery Manager. This may be done in person, in writing, or by telephone.
- 9.2. The Head Teacher or Nursery Manager will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.
- 9.3. Within this response, the Head Teacher or Nursery Manager will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Head Teacher or Nursery Manager can consider whether a face to face meeting is the most appropriate way of doing this.
- 9.4. *Note: The Head Teacher or Nursery Manager may delegate the investigation to another member of the school's senior leadership team.*
- 9.5. During the investigation, the Head Teacher, Nursery Manager or investigator will:
- 9.6. if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- 9.7. keep a written record of any meetings/interviews in relation to their investigation.
- 9.8. At the conclusion of their investigation, the investigator will provide a

formal written response within 5 school days of the date of receipt of the complaint.

- 9.9. If the headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.
- 9.10. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions St. George's School and Little Steps Nursery will take to resolve the complaint.
- 9.11. The investigator will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.
- 9.12. If the complaint is about the Head Teacher or Nursery Manager the Principal will complete all the actions at Stage 1.
- 9.13. Complaints about the Head teacher or Nursery Manager must be made to the Principal via the school office.

## **Stage 2**

- 9.14. If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with the Proprietor, Principal and one other impartial panel member. This is the final stage of the complaints procedure.
- 9.15. A request to escalate to Stage 2 must be made to the Proprietor, via the school office, within 5 school days of receipt of the Stage 1 response.
- 9.16. The Proprietor will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.
- 9.17. Requests received outside of this time frame will only be considered if exceptional circumstances apply.
- 9.18. The Proprietor will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 10 school days of receipt of the Stage 2 request. If this is not possible, the Proprietor will provide an anticipated date and keep the complainant informed.
- 9.19. If the complainant rejects the offer of three proposed dates, without good reason, the Proprietor will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.
- 9.20. The Proprietor will decide whether to deal with the complaint by inviting

parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

- 9.21. If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the meeting. However, there may be occasions when legal representation is appropriate.
- 9.22. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.
- 9.23. *Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.*
- 9.24. Representatives from the media are not permitted to attend.
- 9.25. At least 5 school days before the meeting, the Proprietor will:
- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
  - request copies of any further written material to be submitted to the committee at least 3 school days before the meeting.
- 9.26. Any written material will be circulated to all parties at least 2 school days before the date of the meeting. The Panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- 9.27. The Panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.
- 9.28. The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.
- 9.29. The Panel will consider the complaint and all the evidence presented.  
The Panel:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

9.30. If the complaint is upheld in whole or in part, the Panel will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

9.31. The Proprietor will provide the complainant and Head Teacher or Nursery Manager with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days.

9.32. The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by.

9.33. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions St. George's School and/or Little Steps Nursery will take to resolve the complaint.

9.34. The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

### **Next steps**

9.35. If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

9.36. The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by St. George's School or Little Steps Nursery. They will consider whether the school has adhered to education legislation and any statutory policies connected with the complaint.

9.37. The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:



Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD.

## **10. Roles and Responsibilities**

### **Complainant**

10.1. The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

### **Investigator**

10.2. The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
- interviewing staff and children/young people and other people relevant to the complaint
- consideration of records and other relevant information
- analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

10.3. The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

10.4. The headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

### **Complaints Coordinator**

10.5. The complaints Co-Ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Head Teacher or Nursery Manager and Proprietor to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

### **Proprietor**

10.6. During Stage 2, the Proprietor should ensure that:

- all parties are asked to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect

and courtesy

- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.
- If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

### **Panel member**

10.7. Panel members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
- No person may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant
- We recognise that the complainant might not be satisfied with the

outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting
- Parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting
- Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- The Panel should respect the views of the child/young person and give them equal consideration to those of adults.
- If the child/young person is the complainant, the Panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the Panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
- However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the Panel considers is not in the child/young person's best interests.
- the welfare of the child/young person is paramount.

**7 December 2021**  
**Ellie Graham, Principal**

**Internal use only**

This policy was adopted on	22/10/19
Date for review	22/10/22