



## PALMERS GREEN HIGH SCHOOL

### COMPLAINTS PROCEDURE 2023-24

Policy reviewed: August 2023

Next review: August 2024

**This document will remain valid until the end of the academic year 2023-24**

#### **POLICY STATEMENT**

This policy applies to Palmers Green High School ('the School' or 'PGHS').

PGHS 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 with care and in accordance with this Complaints Procedure. PGHS makes its Complaints Procedure available to parents of all pupils and of prospective pupils on the School's website and in the School Office during the School day, and the School will ensure that parents of pupils and of prospective pupils who request it are made aware that this document is published or available and of the form in which it is published or available, and of the number of complaints registered under the formal procedure during the preceding school year.

The aims of this policy and related procedures are to provide a framework for the resolution of complaints which:

- allows for their resolution informally and sets out the School's formal procedures where this is not achievable;
- is easily accessible and publicised, simple to understand and use and impartial and non-adversarial;
- enables a full and fair investigation where appropriate;
- respects people's desire for confidentiality;
- addresses all the points at issue and provides an effective response and appropriate redress, where necessary;
- provides information to the School's Senior Management Team so that services can be improved and any systemic issues can be identified and addressed; and
- helps to promote a culture of safety, equality and protection.

In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulation 2014, PGHS will also make available, on request, to Ofsted, the Department for Education (DfE) or the Independent Schools Inspectorate (ISI), details of this Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year.

There may be occasions when it is necessary or reasonable to deviate from this Complaints Procedure if this is reasonable and justified. Complainants will be notified of the changes.

All parents should be aware that regardless of the nature of a complaint and whether or not it is upheld, parents are not entitled to details of any related sanctions imposed on staff, pupils or parents for reasons of data protection and confidentiality.

### **WHO CAN USE THIS POLICY?**

This policy is for the use of current PGHS parents only. 'Parents' means the holder(s) of parental responsibility for a current pupil about whom the complaint relates.

Although this Complaints Procedure is made available to parents of prospective pupils, it is not available for use by them; it may only be used by parents of current pupils.

Complaints by parents of former pupils will be dealt with under this Complaints Procedure only if the complaint was initially raised when the pupil to which the complaint relates was still registered as a pupil at the School. The only exception to this is if the complaint is a review of the decision taken by the Head to exclude or require the removal of a pupil under Clause 7 of the School's Terms and Conditions (Parent Contract) in which case such a review must be requested by no later than 5 working days from the date of the decision to exclude or require the removal of a pupil.

The School will not normally investigate anonymous complaints.

The School encourages anyone else with any concerns about the School's operation to raise them with the School. They are asked to do so by writing to the Head or Chair of Governors, setting out their concerns and the action sought.

### **WHAT CONSTITUTES A COMPLAINT?**

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.

Parents can be assured that all concerns and complaints will be treated seriously. 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.

If appropriate, the School will acknowledge that a complaint is upheld, wholly or in part. In addition, it may offer:

- an explanation;
- an admission that it could have been handled differently or better;
- an assurance that the School will try to ensure that the event complained of will not happen again and an explanation of the steps taken in this respect;
- an undertaking to review policies and/or procedures;
- an apology.

Requests for financial awards, such as claims for compensation, damages or fee refunds, are beyond the scope of the School's Complaints Procedure.

### **THE THREE-STAGE COMPLAINTS PROCEDURE**

The School's procedure allows for complaints to be considered at three stages:

#### **Stage 1 – Informal Resolution**

- It is hoped that most complaints and concerns will be resolved quickly and informally.
- To facilitate an effective investigation and timely resolution, a parent must notify the School of their complaint within 10 working days of the matter first coming to their attention or where a series of associated incidents have occurred, within 10 working days of the last of these incidents.
- If parents have a complaint they should normally contact their child's Class Teacher or Form Tutor at the earliest possible opportunity either orally or in writing. In many cases, the matter will be resolved straight away by this means to the parents' satisfaction. If the Class Teacher or Form Tutor cannot resolve the matter alone it may be necessary for them to consult with another member of staff, for example, a Head of Department or the Deputy Head.
- Complaints made directly to the Deputy Head, the Bursar or the Head will usually be referred to the relevant Class Teacher or Form Tutor unless the Deputy Head, Bursar or Head deems it appropriate for them to deal with the matter personally.
- The member of staff handling the Stage 1 complaint will make a written record of all concerns and complaints and the date on which they were received and file on the Complaints Register. Should the matter not be resolved within 5 working days or in the event that the member of staff and the parent fail to reach a satisfactory resolution then parents may make a formal complaint in accordance with Stage 2 of this Complaints Procedure.
- Where a complaint is made against the Head, parents may choose to raise complaints directly with the Head if they feel that the matter is capable of resolution informally. The complaint may be raised orally or in writing. If in writing, the School will not automatically treat the complaint as a formal (Stage 2) complaint and the Head will endeavour to resolve the complaint informally under Stage 1. Alternatively, parents may choose to make their complaint about the Head to the Chair of Governors whose contact details are available from the School on request. In this case, the complaint will be treated as a formal complaint under Stage 2 of this Complaints Procedure.
- Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governors via the School office. Please mark them as Private and Confidential.

## **Stage 2 – Formal Resolution**

- If the complaint cannot be resolved on an informal basis under Stage 1 then the parents should put their complaint in writing to the Head within 5 working days of receiving the outcome at Stage 1 and should include:
  - the complainant's name and full contact details;
  - details of the complaint and who it has previously been raised with;
  - a copy of any relevant documents;
  - and the outcome desired.
- The Head will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Head will meet (or speak to, if a meeting is not possible) 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, or their nominee, to carry out further investigations in the most appropriate manner.
- 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 their decision. In most cases, the Head will make their decision and provide the parents with reasons within 15 working days of the receiving the complaint.
- If the complaint is against the Head, the complaint should be made to the Chair of Governors. The Chair of Governors or their nominee may request a full report from the Head and for all the relevant documents. The Chair of Governors or their nominee may also call for a briefing from members of staff, and will in most cases, speak to or meet with the parents to discuss the matter further. Once the Chair of Governors or their nominee is satisfied that, so far as is practicable, all of the relevant facts have been established, the parents will be informed of the decision in writing. The Chair of Governors or their nominee will give reasons for their decision within 15 working days of the receiving the complaint.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Complaints Procedure.

## **STAGE 3 – Panel Hearing**

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they should do so in writing to the Clerk to the Governors within 5 working days of receiving the decision at Stage 2, setting out their grounds of appeal. Any supporting

evidence which the parents wish to rely on should also be provided with their grounds of appeal.

- The Clerk to the Governors, who has been appointed by the Governors to call hearings of the Complaints Panel, will then refer the appeal to the Complaints Panel for consideration. The Panel will consist of three persons not directly involved in the matters detailed in the complaint and one of whom shall be independent of the management and running of the School. The Complaints Panel will appoint one of the Panel members to act as the Chair of the Panel. The Clerk to the Governors, on behalf of the Panel, will then acknowledge the complaint within 5 working days and every effort will be made to schedule a hearing to take place within 20 working days of the complaint being acknowledged.
- 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 or further investigation be carried out. Copies of such particulars shall be supplied to all parties not later than 5 working days prior to the hearing.
- The parents may attend the hearing and be accompanied to the hearing by one other person if they wish. The Head shall also be entitled to be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not normally be appropriate. If the parents are accompanied by a legally qualified person, that person will not be permitted to act as an advocate or to address the hearing unless invited to do so by the Chair of the Panel. The Panel will decide whether it would be helpful for witnesses to attend.
- The Hearing is not a legal proceeding and the complaints panel shall be under no obligation to hear oral evidence from witnesses to the issues complained of, but may do so and/or may take written statements into account.
- All statements made at the Hearing will be unsworn. The parties will be entitled to write their own notes for reference purposes.
- The panel will usually hear representations from the Stage 2 decision-maker and the Parent(s). However, the manner in which the hearing is conducted shall be at the discretion of the Panel.
- Unless prior to the commencement of the Hearing, a parent confirms that they are satisfied with the outcome of their complaint, the Hearing will proceed notwithstanding that the parent may decide not to attend. In these circumstances, the Complaints Panel will consider the parent's complaint in their absence and issue findings on the substance of the complaint.
- All those present are expected to show courtesy, restraint and good manners. If they fail to do so and after due warning, the Hearing may be adjourned or terminated at the discretion of the Chair. Any person who is dissatisfied with any aspect of the way the Hearing is conducted must say so before the proceedings go any further and their comment will be minuted.

- The Chair may, at their discretion, otherwise adjourn the Hearing if they consider it appropriate to do so. This may include an adjournment for welfare reasons, to enable additional information to be obtained and/or considered or for the parties to take legal advice on a specific issue arising.
- A Hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statements relating to the complaint or any matter discussed in or arising from the proceeding shall be published or otherwise made available directly or indirectly to the press or other media.
- When the Chair of the panel is satisfied that sufficient consideration has been given to the documentation provided and any representations made by the parties, they will conclude the Hearing.
- After due consideration of all facts they consider relevant, the Panel will make findings on the balance of probabilities as to whether or not the Stage 2 decision was a reasonable one and accordingly decide whether to:
  - dismiss the complaint(s) in whole or in part;
  - uphold the complaint(s) in whole or in part; and
  - may make recommendations.
- It is not within the powers of the Complaints Panel to make any financial award, nor to impose sanctions on staff, pupils or parents, although the complaints panel may make recommendations about these issues.
- The Panel will write to the parents informing them of its decision and the reasons for it, within 10 working days of the hearing. A copy of the Panel's findings and recommendations (if any) will be sent by electronic mail or otherwise given to the parents, and, where relevant, the person complained about as well as the Chair of Governors and the Head. A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the School premises by the Chair of Governors and the Head.
- Any complaint of the decision taken by the Head to exclude or require the removal of the pupil under Clause 7 of the School's Terms and Conditions (Parent Contract) will be governed by Stage 3 of the School's Complaints Procedure. In such circumstances, the Panel may only uphold the complaint and ask the Head to reconsider their decision if they consider, having regard to the process followed by the Head, that the Head's decision to exclude/require the removal of the pupil was not a reasonable decision for the Head to have taken.
- The decision of the Panel is final. There will be no further opportunity within the School for consideration of the complaint. The completion of Stage 3 represents the conclusion of the School's Complaints Procedure.

## **TIMEFRAME FOR DEALING WITH COMPLAINTS**

All complaints will be handled seriously, sensitively and within clear and reasonable timescales.

It is in everyone's interest to resolve a complaint as speedily as possible: the School's target is to complete the first two stages of the procedure within 25 working days. Stage 3, the Appeal Panel Hearing, will be completed within a further 35 working days.

Please note that, for the purposes of this procedure, working days refers to weekdays (Monday to Friday) during term time, excluding bank holidays. This means that during School holidays it may take longer to resolve a complaint although the School will do what is reasonably practicable to avoid undue delay. It may also take longer to resolve a complaint during periods of significant disruption to School life or as a consequence of unavoidable staff absence; however, deviation from the normal timescale for resolving a complaint during term time will only be permitted on an exceptional basis, and the School will take all reasonable steps to limit any such delay.

If a Parent commences legal action against the School in relation to their complaint, the Chair of Governors will consider whether or not to suspend the Complaints Procedure until those proceedings have been concluded.

## **PERSISTENT CORRESPONDENCE**

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 by the School as vexatious and outside the scope of this procedure.

## **RECORDING COMPLAINTS AND USE OF PERSONAL DATA**

Following resolution of a complaint, the School will keep a written record of all formal complaints, whether they are resolved at the formal stage (Stage 2) or proceed to a Panel Hearing (Stage 3) and any action taken by the School as a result of the complaint (regardless of whether the complaint is upheld).

The School processes data in accordance with its Privacy Notice. When dealing with complaints, the School (including any Panel member appointed under the Stage 3 process) may process a range of information, which is likely to include the following:

- Date when the issue was raised
- Name of parent
- Name of pupil
- Description of the issue
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name and contact details of member(s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations)
- Notes/minutes of the hearing and
- The Panel's written decision

This may include 'special category personal data' (as further detailed in the School's Privacy Notice and/or Data Protection Policy, but potentially including, for instance, information relating to physical or mental health) where this is necessary owing to the nature of the complaint. This data will be processed in accordance with the School's Data Protection Policy.

The School will keep records of formal complaints and Complaints Panel hearings, as required by regulation. It will do so in accordance with its Privacy Notice, Data Protection Policy and the Storage and Retention of Records and Documents Procedures.

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 109 of the Education and Skills Act 2008 requests access to them.

### **REQUIREMENTS UNDER THE STATUTORY FRAMEWORK FOR THE EYFS**

Parents of EYFS children should follow the three stages of this Complaints Procedure. If parents remain dissatisfied and their complaint is about the School's fulfilment of the EYFS requirements, then parents may take their complaint to the ISI or Ofsted. Parents will be notified by ISI or Ofsted of the outcome of the investigation into their complaint within 28 days of the complaint being received.

PGHS will provide ISI/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. The record of any such complaints will be kept in accordance with the Privacy Notice and the Storage and Retention of Records and Documents Procedures.

Parents may complain directly to Ofsted or to ISI if they believe that PGHS is not meeting the EYFS requirements. Parents can contact Ofsted and/ or the ISI as shown below:

Ofsted can be contacted on 0300 123 1231 or by email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD

ISI can be contacted on 020 7600 0100 or by email: [concerns@isi.net](mailto:concerns@isi.net)

[ISI, CAP House, 9-12 Long Lane, London EC1A 9HA](#)