

Member of Staff Responsible	Headmaster
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Distribution:	All staff and parents

PARENTAL COMPLAINTS POLICY

Introduction

Rokeby has long prided itself on the quality of the teaching and pastoral care provided for 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 procedure. This policy applies to all parents of pupils currently attending Rokeby School including those parents of children who are in the Early Years Foundation Stage (EYFS), which for Rokeby is Reception Year.

This policy is made available on the school website or on request from the school.

Although this Policy 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 Policy 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 a decision taken by the Head to exclude or require the removal of a pupil under clause 7 of the School's Terms and Conditions 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.

Please read this in conjunction with the *Parental Guidelines for Raising Questions and Concerns* document published within the parents' handbook. There are two main themes to both of these policies:

1. That the School wishes to encourage parents to share their concerns with us.
2. That the School is keen to demonstrate good communication and to treat all concerns with respect and respond accordingly.

Naturally, there will be questions and concerns, many of which are easily resolved by discussions, or by identifying the appropriate avenue of communication or piece of available information. Within this policy we describe all concerns (issues where dissatisfaction with the school's approach or provision) as complaints, as is the generally accepted approach, and this policy describes how Rokeby School deals with those complaints, whatever their seriousness.

Note: *the school appreciates that parents may prefer to use different terminology, or not to refer to concerns as complaints. However, Rokeby would hope that parents recognise it is the school's aim to find resolution and make improvements where required and that under no circumstances will a complaint adversely affect their son. Hence, parents are requested to work with the school constructively in finding resolution and to maintain positive relationships for the benefit of all.*

Staff should refer to the *Guidance for Staff for Handling Complaints* in conjunction with this policy.

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

Record keeping:

We keep a **record of formal complaints** (those which have proceeded to Stage 2) which is available for scrutiny by the Governing Body. This record identifies the status of the complaint as formal (Stage 2) or as having proceeded to a panel hearing (Stage 3). This record also records the actions taken by the school as a result, regardless of whether the complaint is upheld.

We also keep a note of informal complaints in line with the *Guidance for Staff for Handling Complaints*. This is so that we can identify underlying issues which the school can seek to improve upon, within its development planning and also for reference, if required in the future.

Staff are encouraged to keep a record of positive feedback also as this can be a helpful way of identifying areas where the school is achieving well and can guide us to improve upon these areas, even more.

Staff are encouraged to make a written note of any significant concern raised on a boy's file on the School's Management Information System (MIS). If the concern or series of issues is escalated up to a case conference, the chair of the conference may choose to instruct a form tutor, year head, or a group of staff to make a written record of every concern, discussion and related incident. This is to ensure that there is a clear and accurate record of the events and outcomes to encourage a successful long-term outcome. See *Guidance for Staff for Handling Complaints* for further details.

The School processes data in accordance with its Privacy Notice which may be found on the School's website. 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, 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 Retention of Records Policy. All records relating to complaints shall be treated as confidential. In addition to where requested by the Secretary of State or an inspector (see above), there may be other circumstances where disclosure of the substance of a complaint or particular confidential records relating to it is required, for example, where there is a legal, regulatory, safeguarding or data protection obligation (eg, in response to a subject access request) which prevails over the requirement to maintain the records as confidential.

Stage One – Informal Resolution

- It is hoped that most complaints will be resolved quickly and informally. For avoidance of doubt, all ‘minor concerns’ will be treated as complaints under this policy.
- If parents have a complaint they should straight away contact their son’s Form Tutor or most appropriate teacher: see the reference below*. In many cases, the matter will be resolved straight away by this means, to the parents’ satisfaction. If the Form Tutor/teacher cannot resolve the matter alone, it may be necessary for him/her to consult with the appropriate Year Head, the Head of Lower School, Head of Middle School or Senior Deputy Head. With regard to subjects, this will be the subject leader, or Deputy Head (Academic).

* see ***Parental Guidelines for Raising Questions and Concerns*** to help you to identify the correct person to contact.

- Complaints made directly to any member of staff will usually be referred to the relevant Form Tutor or other member of staff unless the member of staff deems it appropriate for him/her to deal with the matter personally.
- The member of staff involved will make a written record of all concerns and complaints and the date on which they were received.

Note: *in the normal course of investigating a concern it is possible that boys will be interviewed, including the son(s) of the parents who have raised the concerns. This is always carried out sensitively and supportively, by staff trained in asking appropriate questions, in line with the school's welfare policies, including safeguarding and anti-bullying. Two staff are recommended for an interview.*

Resolution of informal complaints

The School seeks to resolve informal complaints within ten working days. Once a complaint has been followed up and the outcome communicated to the parents, it will be presumed parents are satisfied if nothing more is raised. If they are satisfied, this will then be noted on the MIS by the member of staff involved.

Seeking informal resolution by a member of the Senior Leadership team

Should the matter *not* be resolved within 10 working days (i.e. the member of staff and the parent fail to reach a satisfactory resolution) then the matter will be escalated to a member of the senior management team, or appropriate Deputy Head, to see if any further action might be taken to reach an informal resolution. The Headmaster is unlikely to become involved directly, as he would be involved in any further escalation of such a complaint (to Stage 2- see below), he may hold an informal conversation with the parents, to see if he can help, or he may pass the matter to another member of the SLT to manage the complaint. The member of the Senior Leadership Team will work to resolve the matter within a further five working days, at this point. As before, the outcomes will be recorded on the MIS along with the parental satisfaction with the outcome which will be assumed, if no further concern is raised by the parents.

Moving to Stage 2

If a further attempt to resolve the complaint informally is unsuccessful, parents will be advised of their right to proceed with their complaint in accordance with Stage Two of this procedure by the member of staff involved. This advice should be made in writing, for example by email, even if it is first discussed

in person. A copy of the advice should be noted on the MIS and the Headmaster should be made aware if this has not already happened.

There are occasions where parents remain dissatisfied with the handling of their concerns further to the informal process (Stage 1, above) but then choose not to turn the matter into a formal complaint. If this is the case then the school requests that parents accept the actions of the school (see Appendix 2 for further information).

Internal investigations.

On rare occasions, it is possible that the school might wish to investigate fully and thoroughly an issue raised by parents, which those parents might consider to be minor/ simply raised with a member of staff for information purposes. If this is the case, the Headmaster will inform the parents and will ask for their co-operation in discussing the matter with relevant members of staff as required. *This internal investigation will not be treated as a complaint under this procedure.*

Ongoing Parental Dissatisfaction

Similar to the internal investigations, there are rare occasions where parents have raised a number of concerns over a period of time, none of which have proceeded to the formal stage (Stage 2). Under these circumstances, the Headmaster may then arrange for the school to investigate these all together and will seek to involve the parents in this process. Parents are expected to work with the school on a long-term resolution of concerns in the interests of their son and will appreciate that the school wants to ensure parents are pleased with the educational and welfare provision of the school. (See Appendix 2).

Stage Two – Formal Resolution

- If the complaint cannot be resolved on an informal basis then the parents should put their complaint in writing (this can be by email) to the Headmaster. If parents choose to put their complaint in writing, they should describe it as a formal complaint, for clarity. They should provide as much detail regarding their concerns as possible*. The Headmaster will decide, after considering the complaint, the appropriate course of action to take.
- In most cases the Headmaster will contact the parents concerned to discuss the matter, within five working days of receiving the complaint, wherever possible. If possible, a resolution will be reached at this stage and a written confirmation provided for the parents.
- It may be that the Headmaster will wish to ask for further detail at this point.*
- It may be necessary for the Headmaster to carry out further investigations.
- The Headmaster will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Headmaster 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 Headmaster will also give reasons for his decision. This will comprise the report on the formal complaint.
- The report will respond to the complaint and be clear on what is identified fact and what is the Headmaster's judgment; and include actions and outcomes.

- This written decision will be sent to the parents within ten working days of the parents sending their formal complaint to the school. However, the school reserves the right to investigate the complaint and respond over a period of 28 days to allow for thorough investigation.
- The Headmaster will assume parents are satisfied with the decision if he hears no further concerns on the matter in response to his report. Please refer to the time-frame (see below).

**Parents should be aware that the Headmaster will need as much detail as possible in order to investigate complaints properly. If parents chose not to provide detail, it may be that the Headmaster cannot investigate the complaint fully and will take a decision based upon the evidence given or discovered as a result of 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 will call for 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 his/her decision.

If parents are still not satisfied with the decision, they should proceed to Stage Three of this procedure.

Stage Three – Panel Hearing

If parents are not satisfied with the Headmaster's written report and decision they will need to write to the Headmaster informing him that this is the case within 28 days. The letter should give full details of the complaint and state the outcome sought. The matter will then be referred to a named Convenor, who will have already been appointed by the Governors to call hearings of the Complaints Panel. The convenor is Caroline Newsholme, Governor.

- The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of at least three people not directly involved in the 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 board of Governors on behalf of the Panel. The Convenor will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and within 28 days with the possible exception of school holiday periods where there may be a small delay.
- 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 five working days prior to the hearing.
- 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 but if the parent wishes to be accompanied by a legally qualified person acting in a professional capacity, the school must be informed at least 7 working days before the Hearing.
- Where a parent has requested a Panel Hearing, the Hearing will take place unless the parent has indicated they are now satisfied and do not want to proceed. If such notice is not given, the Panel Hearing will proceed whether or not the parent decides to attend; and the Panel will consider the complaint and issue findings in their absence
- The Hearing shall be in private and chaired by a member of the panel. A written record of the meeting shall be made. All correspondence, records or reports of oral conversations shall be

confidential. Those attending the hearing are expected to show courtesy, respect, restraint and good manners. The hearing may be adjourned or terminated if this cannot be maintained.

- The role of the panel is to review the processes which led to the Headmaster decision (Stage two) in the light of the concerns raised by the parent(s) in their appeal. The panel is not empowered to make any financial award or to impose sanctions on staff, pupils or parents but it may make written recommendations for future improvement.
- If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation.
- Where further investigation is required, the Panel will decide how it should be carried out.
- After due consideration of all facts they consider relevant, the Panel will reach a decision and may make recommendations, which it shall complete within 14 days of the Hearing. The Panel's decision will be final. The Panel will write to the parents informing them of its decision and the reasons for it. The Panel's findings and, if any, recommendations will be sent in writing to the parents, the Headmaster, the Governors and, where relevant, the individual/s concerned in the complaint. A copy of the findings and recommendations will be kept on file by the Headmaster's PA for inspection.
- Any complaint about a decision taken by the Head to exclude or require the removal of the pupil under clause 7 of the School's Terms and Conditions will be governed by this Stage 3 of the School's Complaints Procedure. In such circumstances, the Panel may only uphold the complaint and ask the Head to reconsider his 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 school will appoint a suitably qualified independent panel member who has held a position of responsibility and can scrutinise evidence and put forward balanced arguments.

Action taken by the school as a result of these complaints (regardless of whether they are upheld):

- In the event that a complaint involves or relates to a member of staff, then the member of staff 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 all documentation.
- In the event of a panel hearing, the member of staff will have the right to make representation to the panel.
- The Governor with responsibility for the Safeguarding Children procedures, will, as a matter of course, produce an annual report on the school's effectiveness and compliance with child protection issues and such issues will be an item on the agenda of a formal Governors' meeting.

Time frames and limits

The **time frames** given within this policy will be adhered to wherever possible. There are occasions when this might not be the case, for instance where the investigation into an issue cannot be completed due to a relevant member of staff being absent. If so, the school will endeavour to make the parents aware of the delay. It is taken as understood by all parties that complaints made at the very end of a term or within school holidays may be subject to a delay on occasion due to staff availability.

Please note that the school will always act as swiftly as possible in response to a concern relating to the safety of one of its pupils.

Time limits: Parents should make the school aware of the complaint as soon as possible after the matter or incident has occurred that they wish to complain about. Usually, the School would expect this to be within 28 days of the incident occurring. If parents do not contact the school within three months of the incident, the School will not usually consider the complaint.

If the complaint relates to a continuing act, then occurrences outside of the three-month time limit will usually be considered alongside the more recent occurrence.

The final decision as to whether a complaint that falls outside the three month time limit will be investigated lies with the Chair of Governors, or other Governor nominated by the Chair. If parents feel there are exceptional circumstances that have prevented them from meeting the time limit, they can provide an explanation of these circumstances along with the complaint so that this can be taken into account.

Please note that, for the purposes of this procedure, **working days** refers to weekdays (Monday to Friday) during term time, excluding bank holidays and half term. 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 occur on an exceptional basis, and the School will take all reasonable steps to limit any such delay.

With respect to school leavers, the three months will be calculated from either the final day of the term in which a pupil leaves the school permanently or their notified leaving date if they leave mid-term.

Disclosure of Information and Confidentiality

The School undertakes to treat all correspondence, statements and records in strict confidence, only disclosing information to those who are directly involved in the matter under investigation. The School undertakes to investigate all complaints thoroughly but requires complainant parents to divulge the necessary information to allow the school to make suitably confidential enquiries in seeking to investigate the complaint, whether formal or informal. Failure to do so may mean it is not possible for the school to resolve the matter. Likewise, the school requests that parents respect the confidentiality of all related investigations.

A log of formal complaints for the past academic year is kept by the school.

For the academic year 2023-2024 the School received one formal complaint which went to stage three and was then resolved.

EYFS requirements

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.

Rokeby 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 its Privacy Notice and Retention of Records Policy.

Parents may complain directly to Ofsted or to ISI if they believe the provider is not meeting the EYFS requirements. Schools must make available details of how to contact Ofsted and/ or the ISI:

Ofsted can be contacted on 0300 123 1231 or by email: 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
ISI, CAP House, 9-12 Long Lane, London EC1A 9HA

Appendix I

Complaints Procedure – Independent Member of the Panel

The DfE has given the following guidance on the identity of an independent panel member:

Our general view is that people who have held a position of responsibility and are used to scrutinising evidence and putting forward balanced arguments would be suitable. Examples of persons likely to be suitable are serving or retired business people, civil servants, head or senior members of staff at other schools, people with a legal background and retired members of the Police Force might be considered.

Appendix 2

Working together and unreasonable complainants.

The School recognises the importance of its parents as clients and also that they have placed their sons in the School's care. Therefore, the school has high standards for its operations, its staff and its procedures.

As with all concerns, large or small, the School wants to work with parents to resolve them amicably and to learn from any mistakes and improve. Consequently, the School will follow this procedure to the best of its ability and asks parents to cooperate in doing so, in line with their contract with the School.

However, there may be rare occasions where parents choose not to work with the school. If parents choose not to cooperate, the school will seek to encourage them to do so to the best of their ability. However, if this is not possible, the school will deem the parents as 'unreasonable complainants' and will exercise its contractual rights.

Following the Department for Education's advice, the school defines as 'unreasonable complainants' those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or of other people's complaints.

For example, a complaint may be regarded as unreasonable when the person making the complaint:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Headmaster or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues, the Headmaster will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact Rokeby School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan.

This will usually be reviewed after 6 months.