

THE PARK SCHOOL

Complaints Policy (and Procedure)

1. It is the policy of the school that all complaints, serious or otherwise, will be investigated thoroughly, expeditiously and in a manner which is scrupulously fair to both the complainant and the staff member against whom the complaint is made.
2. Any pupil, parent, guardian wishing to take up a complaint concerning any aspect of the school should initially get in touch with the member of staff concerned. All staff are instructed to pass on any information regarding a complaint to their immediate line manager.

In the boarding house, a complaint should normally be presented to the House- parents in the first instance.

3. If a complaint is of a serious nature, however reported initially, it should be reported to the Head teacher for further investigation and the parent or guardian may indeed wish to go direct to the Head teacher in the first place.
4. Pupils in boarding who have concerns may go directly to the Head teacher.
5. The Head teacher will decide how complaints are investigated and on what action to take.
6. Any parent can go direct to a Governor with a complaint and the addresses and telephone of Governors are available from the school office on request. A parent may also wish to complain directly to an outside body. Social Services and the Independent Schools Association, of which the school is a member, are examples of outside bodies that may be helpful. Addresses and telephone numbers are available from the school office.
7. Complaints received directly by Governors would normally be passed to the Head teacher for investigation.
8. Staff complaints should be made to the Head teacher. In the case of non-teaching staff, complaints should be made initially to their line manager, the Bursar. If the complaint is of a serious nature, the Head teacher must be informed and, if appropriate, a Governor.
9. When any investigation is complete, the findings will be presented to the Governors who would conduct a hearing if necessary, the hearing to consist of no more than four Governors. The hearing would consider the relevant evidence and make a decision. If the parent or guardian disagrees with the decision, they can ask for an appeal. An Appeals Committee consisting of no more than four Governors, none of whom sat on the original hearing, would hear the appeal and their decision is final.
10. Teachers and other members of staff, because of their daily contact with children in a variety of situations including the wider caring role, are vulnerable to accusations of abuse. Their relationships with pupils may lead to allegations being made against them by pupils, parents or guardians. Where there are allegations of child physical or sexual abuse, the Head teacher must be informed immediately. The Head teacher is the named member of staff for the investigation of potential child abuse. The Social Services will be consulted as to the appropriate steps to be taken in any investigation of child abuse.
11. If the Head teacher is the subject of a complaint, the allegation will be referred to the Chair of Governors who will instigate an investigation by the Governing Body.

THE PARK SCHOOL

Complaints Procedure

General

1. For all complaints apart from allegations of physical or sexual abuse, the first contact for the parent or guardian should be the teacher or staff member concerned who will then pass on all relevant to the head of his or her Department. These are named on the annexe attached.
2. Where the complaint is a serious one, the Head teacher will be notified but the parent or guardian may go to the Head teacher or to a Governor directly. They may also complain directly to an outside organisations such as Social services or the Independent Schools Association.
3. With non-teaching staff, the Bursar will be informed and he will decide whether the seriousness of the complaint warrants the Head teacher's involvement.
4. A Governor receiving a complaint will pass it on to the Head teacher for investigation.

The Park 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.

The Park School maintains that pupils are not penalised for making a complaint in good faith

Stage 1 – Informal Resolution

- It is hoped that most complaints and concerns will be resolved quickly and **informally**.
- If parents have a complaint they should normally contact their son/daughter'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/her* to consult *the Deputy Head/Senior teacher*.
- Complaints made directly to *the Deputy Head/Senior teacher* will usually be referred to the relevant *Form teacher/Housemistress* unless *the Deputy Head/Senior teacher* deems it appropriate for him/her to deal with the matter personally.
- The *Form teacher/Housemistress* 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 28 days or in the event that the *Form teacher/Housemistress* 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/speak to* the parents concerned, normally **within 7 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.
- 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/her decision.
- **If parents are still not satisfied with the decision, they should proceed to Stage 3** of this Procedure.

Stage 3 – Panel Hearing

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they will be referred to the Chair of Governors, who has been appointed by the Governors to call hearings of the Complaints Panel.
- **The matter will then be referred to the Complaints Panel for consideration.** The Panel will consist of *at least three persons 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 Chair of Governors**, on behalf of the Panel, who will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally **within 28 days**.
- 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 3 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.
- 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 28 days of the Hearing**. **The Panel will write to the parents informing them of its decision and the reasons for it.** The decision of the Panel will be final. **The Panel's findings and, if any, recommendations will be sent in writing to the parents, the Head, the Governors and, where relevant, the person complained of.**

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required by paragraph 6(2)(j) of the Education (Independent School Standards) (England) Regulations 2003, by the Secretary of State for Children, Schools and Families, or where disclosure is required in the course of the school's inspection or under other legal authority.

Allegations of Child Physical and/or Sexual Abuse

Allegations of physical and/or sexual abuse of children will be taken extremely seriously. The following procedures set out clearly how such situations should be managed.

1. Listening to pupils

Pupils who report that they have been abused by a member of staff must be listened to and heard however they attempt to communicate their worries. A written, dated record must be made of the allegations as soon as practicable but within 24 hours. Teachers, Governors or other members of staff cannot promise confidentiality to pupils who make allegations. If a pupil does not wish to take the matter further, very careful consideration must be given to the age and understanding of the pupil and whether the child or others may be at risk of significant harm.

Teachers, Governors or other members of staff who hear an allegation of abuse against another member of staff should report the matter directly to the Head teacher.

If the allegation is against the Head teacher, then the Chair of Governors will be notified and the Governing Body will investigate the complaint.

2. Consideration of the Validity of an Allegation

When an allegation is made against a teacher or other member of staff, there should be an urgent initial consideration by the Head teacher as to whether there is sufficient substance in the allegation to warrant an investigation. As part of this initial consideration, the Head teacher should consult the Social Services Officer. The substantive decision on whether to investigate under local child protection procedures rests with the child protection agencies.

There are four possible outcomes of the initial consideration:

- a) an immediate referral under the child protection procedure
- b) if there is reason to suppose that abuse could have occurred, referral under the local child protection procedure or under the school's disciplinary procedures may be necessary
- c) the allegation is unfounded
- d) the allegation was prompted by inappropriate behaviour which will be considered under the school's disciplinary procedures

3. Allegations calling for immediate Referral

The immediate priority must be to determine whether a pupil is, or pupils are, at risk of harm and in need of immediate protection. If this seems to be the case, the Head teacher should make an urgent referral to local child protection agencies in accordance with the Area Child Protection Committee (ACPC).

4. Allegations where a Referral may be necessary

It is important that the Head teacher acts quickly. The Head teacher is not expected to investigate the allegation itself or interview pupils but should consider, in consultation with the social services, whether the allegation requires further investigation and if so, by whom. Only if the allegation was trivial or demonstrably false, would an investigation *not* be warranted.

5. Investigations

There are two types of investigations:

- a) by the police, social services, or NSPCC under local child protection procedures
 - b) under teacher or other staff disciplinary procedures.
- Any disciplinary procedures should be separated clearly from child protection investigations. They each have different objectives and the two must not be confused. Any investigation by the police or child protection agencies must take priority over any internal investigation by the school and should be held in abeyance pending the outcome of an external investigation.

6. Action Subsequent to Referral to Child Protection Agencies

In case of allegations against teachers, the Head teacher should be involved in any strategy discussion to plan the conduct of the investigation under child protection procedures. This discussion must also consider whether any other children are likely to be or have been at risk and whether any other children should be interviewed.

7. Police Involvement

The police might wish to interview the teacher or other staff member against whom the allegation is made before any approach is made by the Head teacher. Police officers will be given every assistance with their enquiries, but in the staff member's interest confidentiality about the enquiries should be maintained.

8. Notification of Interested Persons

Unless there is an objection by the child protection agency concerned, the Head teacher will:

- a) inform the child, parent or guardian making the allegation and explain the likely course of action
- b) inform the teacher or other staff member against whom the allegation is made and explain the likely course of action
- c) inform the Chair of Governors

9. Suspension of Teacher or Other Staff Member

The Head teacher should never assume guilt at the outset of a complaint or suspend or recommend suspension a teacher or other staff member against whom an allegation is made.

Circumstances under which suspension would properly occur include:

- a) where a child or children are at risk
- b) where the allegations are so serious that dismissal for gross misconduct may be considered
- c) where suspension is necessary to allow the conduct of the investigation to proceed unimpeded

In all cases where suspension is being considered the Head teacher should advise the teacher or other member of staff to seek assistance from his or her teacher organisation or trade union. Where a teacher or other member of staff has been suspended the Head teacher should inform the Chair of Governors. Only the necessary minimum information should be provided to the Governing Body as more than this will prejudice their impartiality in any subsequent hearing or appeal in disciplinary proceedings.

The pupil of a parent or guardian making the allegation and the parents or guardian of the child should be informed confidentially of the suspension provided this is consistent with child protection procedures. Support will be provided for the child or children making the allegations and their parents or guardians. Support may also be required for others at the school both staff and pupils and this should be provided.

At the completion of the investigation, a meeting should be arranged to inform the teacher or other member of staff of the next steps and that teacher or other member of staff may be accompanied or represented by a teacher organisation representative, trade union representative or friend.

10. Child Welfare Issues

The investigating team may request professional help from a teacher in assessing the developmental stage of the child. In some instances, the Head teacher or teacher, if requested

by the child, may accompany a child who is very young or distressed as a supportive adult in making any video recordings for criminal proceedings.

11. Allegations against the Head teacher

Any allegation against the Head teacher will be reported directly to the Chair of Governors. The Chair will initiate a an immediate investigation with the Governing Body and follow the guidelines as outlined in Sections 1-10 above with the Chair taking on those responsibilities normally carried out by the Head teacher.

12. EYFS

- The above complaints procedure applies throughout the school including our EYFS provision
- A record of complaints will be kept for 3 years
- Parents can make a complaint to Ofsted should they wish to (contact details below)
- Complainants will be notified of the outcome of an investigation within 28 days of the school having received the complaint

13. Communication of this Document

Reference to this document and where it can be accessed will be notified to all the current Governing Body, teachers and other staff and to all new Governors and members of staff as an integral part of their induction procedure.

This policy will always be available to parents and prospective parents.

Please read this policy in conjunction with our other policies including policies relating to “OUT OF SCHOOL CARE”

14. Number of formal complaints received in the previous year;

None

Approved on behalf of the Governing Body - Sylvie Dare (Chair)
5th March 2010

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Annexe One

Head of Junior Department: Mrs J Ellis
Head of Senior Department: Mr D Ennals
Head of Boarding House: Mrs J Gomez-Perry
Non teaching staff - Bursar: Mrs J Gentis

Incidents in school will initially be reported via line management, direct to the Head teacher or to a governor. The Head and the Chairman Of Governors should make each other aware that an incident has taken place. This may be as a result of an accident, an incident reported by a teacher, a complaint by a parent or by any other means.

If a member of staff is involved then an inquiry may be set up. The governors may direct the head to take some action or in more complex cases initiate an enquiry. The Head will conduct this and the evidence collected for the Governors to consider in a hearing if necessary.

The governors will consider the evidence presented in a hearing. No more than 4 governors will be present. The member of staff may be accompanied by someone of their choice in such a hearing.

If there is disagreement over the outcome then the member of staff may appeal to the governors. The appeal committee shall be made up of no more than 4 governors, none of whom sat at the original hearing.

This document should be read in conjunction with the individual person's contract and with the school complaints procedure.

The Ofsted address and telephone number is:

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M2 7LA

0300 123 4666 if you want to make a complaint or have a concern about any service Ofsted inspects or regulates (8.00am to 6.00pm)