



HORRIS HILL
FOUNDED 1888

Complaints Policy & Procedure

Policy reviewed:	Reviewed by SJB Autumn term 2021
Policy approval:	Approved by Forfar Education Autumn term 2021
Date of next review:	Autumn term 2022

At Horris Hill, we care about the welfare, happiness and education of each child in our care. We aim to work together with parents and other carers to ensure that Horris Hill provides the best possible education. Occasionally, things might not be up to these high expectations and complainants have the right to complain. This document is intended to make the process easy to understand and implement. The School does not distinguish between 'concerns' and 'complaints'. Any matter about which a parent of a pupil is unhappy and seeks action by the school is relevant to this Policy.

A complaint will be treated as an expression of genuine dissatisfaction which needs a response.

We wish to ensure that:

- Any complainant wishing to make a complaint knows how to do so.
- This policy is available on the school website.
- We respond to complaints within a reasonable time and in a courteous and efficient manner.
- All complainants realise that we listen and take complaints seriously.
- We take action where appropriate.

Exclusions are not covered by this Complaints Policy and Procedure. Please refer to the school's Good Behaviour and Sanctions Policy.

This policy is available for parents of pupils and prospective pupils but only applies to current pupils unless the complaint was raised when they were pupils at the school.

Stage 1 – Informal Resolution

The first thing to do is to express your concern directly with the appropriate person. It may well be that the Tutor is able to deal with most matters; anything to do with music, Director of Music; anything to do with sport, Director of Sport; matters academic, either with the subject teacher concerned, or with Deputy Head (Academic); pastoral or boarding matters either with Housemaster concerned or Head of Boarding; disciplinary matters with Deputy Headmaster. The important thing is that they will listen and take appropriate action. Complaints are very rare and almost every concern is resolved at this stage. Should the matter not be resolved within **10 standard working days**, then complainants will be entitled to proceed with their complaint in accordance with Stage 2 of this procedure.

If the complaint is against the Headmaster, parents should make their complaint directly to the Proprietor identifying that they are seeking an informal resolution. Contact details for the Proprietor are available from the School on request and on the School website.

In the case that a complainant wishes to raise a complaint outside of normal school hours there is an emergency out of hours number listed on the school termly calendar. The school calendar is available on

the school website. If a complaint is received in the school holidays we will attempt to meet the same time frames as for in school hours.

Stage 2 - Formal Resolution

If the complaint cannot be resolved on an informal basis, then the complainants should **put their complaint in writing** to the Headmaster, who will decide the necessary action. This may well involve a meeting with you, normally **within 10 standard 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 Headmaster to carry out further investigations. **Written records of all meetings and interviews, of the action taken by the school as a result of the complaint, whether it was upheld or not**, held in relation to the complaint will be kept by the Headmaster. 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 communicated to you in writing. The Headmaster will also give reasons for his decision.

If the complaint is against the Headmaster, the complaint should be made in writing to the Proprietor stating that a formal resolution is being sought. The Proprietor or their nominee will call for a full report from the Headmaster and for all the relevant documents. The Proprietor 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 Proprietor 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 Proprietor or their nominee will give reasons for his/her decision.

If you are still not satisfied with the decision, complainants should proceed as follows:

Stage 3 – Complaints Panel Hearing

If complainants seek to proceed with Stage 3 following a failure to reach an earlier resolution they should make a request to the Proprietor in writing to convene a hearing of the Complaints Panel. Any supporting evidence which the parents wish to rely on should also be provided with their grounds of appeal. **The appeal will then be referred to the Complaints Panel for consideration.** The panel will consist of at least three persons not directly involved in the details of the complaint. The Proprietor will appoint the Panel members, one of whom will be independent of the management and running of the school. The Chairman, on behalf of the school, will then acknowledge the complaint (normally within 5 standard working days) and schedule a hearing to take place as soon as is practicable for the Panel to be convened. Normally, this will be **within 21 standard working 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 or further investigation be carried out. Copies of such material will be supplied to all parties **not later than 5 standard working days** prior to the hearing. **Complainants may be accompanied to the hearing by one other person.** The Headmaster shall also be entitled to be accompanied to the hearing by one other person if they wish. Legal representation is not normally necessary. The Panel will decide whether it would be helpful for witnesses to attend. If a complainant does not exercise the right to attend a panel hearing, this does not remove the school's obligation to hold the hearing in conformity with its complaints policy. The school's arrangements for the panel hearing should be reasonable in order to facilitate the complainants exercising the right of attendance.

If possible, the Panel will resolve the issue 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 relevant facts the Panel will make findings 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. A Stage three panel hearing will be a full-merits hearing of the complaint, not merely a check that process was followed.

The Panel will write to the complainant(s) informing them of its decision and the reasons for it **within 21 standard working days** of the hearing (although additional time may be required if it is necessary to carry out further investigations following the hearing). The decision of the Panel will be final. A copy of the panel's findings with regard to the complaint and, if any, recommendations, will be sent in writing to the complainant(s), Headmaster, Proprietor and where relevant, the person of whom the complaint was initially raised.

The copies of the findings and recommendations should be available for inspection on the school premises by the Proprietor and Headmaster.

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. 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.

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

A written record will be kept of all complaints that are made, and a) whether they are resolved following a formal procedure or have proceeded to a panel hearing; b) of the action taken by the school as a result of these complaints, regardless of whether they are 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 and 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 information relating to physical and mental health) where this is necessary owing to the nature of the complaint. This data will be processed in accordance with the School's Privacy Notice and 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 and Record of Retention Policies. From September 2020, the DfE as regulator has advised that complaints which do not have safeguarding implications should 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, 'Records concerning allegations of abuse must be preserved for the term of the Independent inquiry into Child Sexual Abuse and at least until the accused has reached normal pension age or for 10 years from the date of the allegation if it is longer.

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 108 or 109 of the 2008 Act requests access to them.

The number of complaints registered under the formal procedure during the preceding school year is available upon request.

Complaints relating to Early Years Foundation Stage (EYFS) – Reception Class

Parents of EYFS children should follow the 3 stages of this Complaints Procedure. Any written complaint received from parents about the fulfilment of the EYFS requirements will be investigated and the complainant notified of the outcome of the investigation within 28 days after receipt of their complaint by the school. The record of complaints and the action which was taken as a result of each complaint must be made available to Ofsted and Independent Schools Inspectorate (ISI) on request.

If parents remain dissatisfied they may contact Ofsted or the ISI if they believe that the school is not meeting the EYFS requirements:

Safeguarding Children, Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD. Telephone: 0300 123 1231 or email enquiries@ofsted.gov.uk

Independent Schools Inspectorate, CAP House, 9-12 Long Lane, London, EC1A 9HA. Telephone 020 7600 0100 or email concerns@isi.net