



THE
MARIST
SCHOOL
ASCOT

School DfE No: 68/6013

COMPLAINTS PROCEDURE AND POLICY

Policy Number: SSM009

Excellence as a habit not an action.

**Excellence in who we are; Excellence in what we do; Excellence in
our service of others.**

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Complaints Procedure and Policy

Revision	Date	Amendment	Completed By:	Authorised By:
1	01/09/2024	Revised format	BS	JS

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Legal Status:

This policy incorporates the manner in which complaints are to be handled according to the most recent version of the Regulatory Requirements, Part 7 Paragraph 33 of the Education (Independent School Standards) (England) Regulations and the Early Years Foundation Stage (EYFS) regulations.

Scope:

- This policy applies to complaints from parents of current pupils (including those in the Nursery and Early Years setting) and to parents of former pupils if the complaint was raised when the pupil was registered at the school.
- This policy applies to the whole school - Nursery, Early Years, Preparatory and Senior.
- Any matter about which the parent/guardian of a pupil is unhappy and seeks action by the school is considered to constitute a complaint which falls into the scope of this procedure. The written record of complaints is limited to all those made in writing under the formal part of the procedure. In relation to these complaints only the school is required to record whether they were resolved at that stage or proceeded to a Panel hearing.
- Furthermore, the school monitors informal lower-level expressions of concern for management purposes.

Timescale

- The process of dealing with a complaint in writing from the moment that it is received by the school to resolution will take no more than twenty-eight (28) working days, except in circumstances in which the normal timescales are affected by issues that delay resolution; namely school holidays and other factors. Should the complaint come during the holiday period the appropriate office will acknowledge receipt of the complaint, and the complaint will be dealt with at the start of the new term.
- In this procedure reference to working days means Monday to Friday, when school is open during term time. The dates of terms are published on the school's website.

Availability

- This procedure is made available to prospective pupils/parents, parents, staff and pupils on The Marist School website: www.themarist.com. It is also made available to prospective parents, parents or guardians of pupils on request to the school office, during the school day, or by e-mail: enquiries@themarist.com.

Confidentiality and Record Keeping in Relation to Complaints

- A written record will be kept of all formal complaints and of whether they were resolved at stage 2 or proceeded to a Complaints Panel Hearing, including the action taken by the school as a result of the complaint (regardless of whether or not they are upheld).
- The number of formal complaints registered during the preceding school year will be supplied to parents on request. The number of formal complaints is reported to the whole community in the Governors Annual Report.
- Correspondence, statements and records will be kept confidential except in so far as is required of the school by the Secretary of State or a body conducting an inspection under Section 108 or 109 of the Education and Skills Act 2008 or where disclosure is required as a result of any other legal obligation to which the school is subject.
- In turn parents are expected to make complaints courteously, in good faith, in confidence and proportionately.

- This procedure aims to provide a clear framework for parents and for the school in dealing with their concern fairly, constructively and thoroughly.
- It encompasses notifications of an actual or perceived problem arising from an event or process under the jurisdiction of the school, which causes parents to be concerned or dissatisfied about their daughter's experience or their own. Parents may not complain on behalf of others. Groups of parents who wish to raise the same matter under this procedure are required to do so separately, as individual families.
- In order to assist in a speedy and satisfactory resolution parents are asked from the outset, to state clearly the exact nature of their concern and the remedy sought. It can greatly assist a speedy and satisfactory resolution if the notification is prompt and specific, including examples and factual evidence where this is appropriate and practicable. Anonymous quotes and anecdotal, unsubstantiated hearsay will not be considered as evidence and should not be employed.

Other Relevant Document for Employees:

Staff Grievance Procedure (in the Code of Conduct)

Monitoring and Review:

- The Principal and/ Deputy Heads or Executive PA, log complaints received by the school. The logging of complaints for management purposes enables patterns of concern to be monitored.
- The Governing Body monitors the complaints procedure, to ensure that all complaints are handled properly, taking into account any local or national decisions that affect the complaints process, and making any modifications necessary to this policy. They also retain details of the number of complaints, registered under the formal procedure during the preceding school year and carry out a formal annual review of the Complaints Procedure for the purposes of monitoring.
- This is reviewed regularly by the Principal and/or Deputy Heads along with a formal annual review by the Governors for the purposes of monitoring.

Introduction

This procedure deals with complaints from parents of pupils.

The Marist School has long prided itself on the quality of its teaching and pastoral care and the open and constructive dialogue it seeks to establish with parents in order to support their daughters' education and to secure their wellbeing. Nonetheless from time-to-time parents may wish to raise a concern or complaint. If this is the case, they can expect it to be treated by the School in accordance with this Procedure. The School aims to meet the needs of the pupils, parents and other stakeholders. Constant communication and feedback are crucial in monitoring standards and improving provision. Those who have concerns or complaints should feel these can be voiced and that they will be taken seriously.

A complaint is an expression of dissatisfaction that requires a response from the school – either to explain its position or to put right what may be wrong. A complaint is likely to arise when there are issues of physical or emotional well-being and security at stake, or when the School's stated aims or values appear not to have been adhered to. A breach of the law will always constitute a complaint. Investigations will be thorough, fair and completed in a reasonable timeframe. The complainant may not be entitled to all information regarding the investigation but will be kept informed of the process and of the decisions reached.

We use the term “complainant” to refer to the individual or individuals making the complaint. These may be one or a combination of any of the following: a parent or guardian of a pupil at the school, parents or guardians of a pupil at the school, several parents or guardians of pupils at the school, or a member of staff.

We actively encourage strong home-school links and ensure that all staff have opportunities to discuss and understand the school response to concerns and complaints made by parents or guardians. We also ensure that any person complained against has equal rights with the person making the complaint. Where the person being complained about is named as the person who would be handling the complaint in these procedures, their role will be passed upwards to their Line Manager e.g. Teacher to Assistant Principal, Assistant Principal or Deputy Head to Principal, or Principal to the Chair of Governors.

Stage 1 – Informal Resolution

(References to number of working days refer to term-time only)

- It is hoped that most complaints and concerns will be resolved quickly and informally at this stage.
- If parents have a complaint, they should normally contact the most appropriate member of staff, such as the pupil’s teacher. This contact can be by telephone, e-mail or letter, or by an arranged meeting. In many cases the matter will be resolved promptly by this means to the parents’ satisfaction. If, however, the member of staff contacted cannot resolve the matter alone, it may be necessary for the member of staff to consult their line manager, for example the Head of Key Stage, Head of Department or Senior Leader.
- The member of staff who is dealing with the matter will make a written record of all concerns and complaints and the date on which they were received. All correspondence including statements and records of investigations are kept confidential and will be kept in the parent/teacher meeting file.
- Should the matter not be resolved within ten (10) working days or in the event that the member of staff 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. Should resolution be achieved at stage 1 a note should be kept of the date a resolution was reached and the agreed nature of this.
- Informal complaints will be kept in the pupil’s file in the relevant school office.
- Where the parent is not satisfied with the school’s response to their complaint at stage two and indicates a wish to continue to stage three, for compliance purposes, a Panel hearing should take place unless the parent later indicates that they are now satisfied and do not wish to proceed further. The Panel hearing should, therefore, proceed notwithstanding that the parent may subsequently decide not to attend. If necessary, the Panel should consider the parent’s complaint in his/her absence and issue findings on the substance of the complaint thereby bringing the matter to a conclusion. The requirement for the Panel to proceed does not prevent the school from accommodating parental availability for dates or considering comments concerning Panel composition.
- If the complaint or concern relates to the Principal, then Stage 1 will be considered by the Chair of Governors. Complaints relating to the Principal should be sent to the Clerk to the Governors at Clerk@themarist.com

Stage 2 – Formal Complaint

(References to number of working days refer to term-time only)

- If the complaint cannot be resolved at Stage 1 then it will be escalated to the Deputy Head/Principal/Chair of Governors. Where possible it is expected that formal complaints will be set out in writing and addressed to either the Deputy Head or the Principal, stating clearly at the beginning that the parents wish to make a formal complaint under the second stage of this procedure. They should state both the nature of the complaint, and the remedy sought and include all relevant information.
- A formal complaint should normally be lodged within seven (7) working days of the date of a verbal or written report to parents under the stage 1 procedure.
- Parents should note that the complaint at this stage should not change in scope from that presented at Stage 1. Should any new matters be presented parents will be advised that they will be dealt with under Stage 1.
- The Deputy Head/Principal/Chair of Governors will acknowledge in writing receipt of the complaint, normally within five (5) working days and will normally appoint a senior member of staff to investigate the issue(s) raised. Depending on the circumstances, the Principal may appoint the Deputy Head to determine the complaint in her place.
- Once the Principal or Deputy Head is satisfied that, so far as is practicable, all of the relevant matters have been investigated, a meeting with the parent(s) will be arranged. At, or after, the meeting the Principal or (Deputy Head) will come to a determination and will inform the parent(s) of this decision and the reason(s) for it in writing.
- The School will normally deal with a formal complaint within twenty-eight (28) working days of receipt. Formal complaints received at the end of the school day will be deemed to have been received on the next working day.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.
- If the complaint or concern relates to the Principal, the Stage 2 will be considered by the Chair of Governors. Complaints relating to the Principal should be sent to the Clerk to Governors at Clerk@themarist.com

Stage 3 – Appeal to a Complaints Panel Hearing

(References to number of working days refer to term-time only)

- If parents are not satisfied with the decision reached at Stage 2 they may choose to appeal to a panel (Complaints Panel) under the third stage of this procedure .
- If the appeal relates to the Principal, then Stage 3 will be considered by a panel convened by the Clerk to the Governors.
- An appeal must normally be lodged within seven (7) working days of the date of the Principal or Deputy Head's written response to their Stage 2 complaint. Requests to appeal received at or after the end of the school day will be deemed to have been received on the next working day.
- Parents should make their request in writing to the Chair of Governors c/o the Clerk to the Governors, at Clerk@themarist.com, formally stating they are requesting a panel hearing under Stage 3 of this procedure and attaching a copy of their Stage 2 complaint.
- The Clerk will acknowledge in writing receipt of the request, normally within five working days. On behalf of the Chair of Governors, he will convene a Complaints Panel consisting of at least three people not directly involved in the matters detailed in the complaint and ask one of them to act as Chair of the Panel. One of the Panel members will be independent of

the management and running of the school. The independent member will be someone who has held a position of responsibility, used to analysing evidence and putting forward balanced arguments. Examples of people likely to be suitable are serving or retired businesspeople, civil servants, Heads or senior members of staff at other schools, people with a legal background and retired members of the Police Force.

- Parents should be advised that it is only their Stage 2 complaint which will be considered by the Panel. The Panel will not consider any new material or areas of complaint at this stage. They will refer any new material or complaint back to the school for investigation under the appropriate earlier stage of this procedure.
- It is not the Panel's purpose to re-investigate the complaint, but to consider the matters raised by the parent(s), and the report from the School, and to decide whether the determination reached at Stage 2 was reasonable and fair.
- The hearing will be scheduled to take place as soon as practicable and normally within 23 working days of receipt of the parents' request. The parents will normally be notified of the composition of the Panel and of the date, time and location of the hearing no fewer than seven (7) working days in advance.
- Should it prove impossible, despite the best efforts of the Clerk, to arrange the hearing within the normal timescale because of the availability of the Panel members, the Clerk will write to the parents before the expiry of the 23 working day period, setting out the likely timeframe.
- Normally no fewer than five (5) working days in advance of the hearing the Clerk will send the parents and Panel members a briefing pack containing the Stage 2 complaint, and the School's report on the matters raised with the Principal/Deputy Head's decision(s) at stage 2. The hearing will be attended by the parents and the School's representatives. Parents may be accompanied to the hearing by one other person if wished. Legal representation will not normally be appropriate.
- If the parents wish to be accompanied by someone who is legally qualified, they must notify the Clerk at least seven (7) working days before the hearing.
- At the hearing the parents will be able to make a statement to the Panel, as will the School's representatives. Neither party will be able to ask questions of the Panel. The Chairman of the Panel will decide on an appropriate length for each party's submission, and all parties will be informed of these no fewer than five (5) days before the hearing date.
- The Panel will be able to ask questions of the parents and school representatives.
- The Chairman of the Panel may, at his/her discretion, adjourn the hearing to take legal advice.
- After the hearing is completed, the Panel will retire and after due consideration, will reach a decision to allow the complaint, to allow it in part, or to reject it in full. They may if they wish make recommendations. Their decision, findings and any recommendations will be provided to the complainant and, where relevant, the person complained about, normally within seven (7) working days of the date of the hearing, either by post or email. The decision, findings and any recommendations will be made available for inspection on the school premises by the Governing Body and Principal/Deputy Head.
- Parents should be aware that it is not within the remit of the Panel to make any financial award, nor to impose sanctions on staff, pupils or parents. It has no power to instruct the Principal/Deputy Head or a member of staff to implement any recommendation(s) made. Where this is deemed necessary, the matter will be referred to the Chairman of Governors for action under delegated powers or presented to the Governing Body.
- The decision and findings of the Panel are final.
- A hearing under this procedure is not a legal proceeding, but a private and confidential matter. The Clerk will take minutes of the hearing, but no tape, video or digital recording may be made by any party. Subject to paragraph 3 above, no notes, other records or oral statements about any matter discussed or arising from the proceedings shall be made available directly or indirectly to third parties, including the press or other media.

Note

Parents must follow the complaints process. They can only go straight to a Panel Hearing if their child is suspended or excluded. In that case, they have the right of appeal to a Governor's panel about the exclusion decision. All other complaints must go through Stages 1 and 2 first.

Record Keeping

- A central written record of all formal complaints will be kept in the school office, together with information about whether they were resolved following a formal procedure or proceeded to a panel hearing. The record will also detail action taken by the school as a result of the complaint(s) (whether or not upheld).
- The school will keep records of formal complaints and panel hearings for at least three years.

Child Protection

For any complaint that involves a potential child protection issue, this must be reported immediately to the Principal. (See our Child Protection Policy for details of the procedure).

Additional Requirements for EYFS

Additional requirements apply for EYFS settings beyond those which apply to other phases of the school. In addition to the Complaints Procedure detailed above, parents of children in the Early Years Foundation Stage (EYFS) may also make a complaint to Ofsted or ISI after having their complaint investigated through Stages 1-3 of the Complaints Procedure and the outcome given to them within 28 days and only if their concern is about the fulfilment of the EYFS requirements. The record of complaints must be available to Ofsted and ISI on request.

Complaints to Ofsted or the Independent Schools Inspectorate

Although the school is inspected by ISI, an independent organization which reports to the government on schools, parents of children in the Early Years setting have the right to contact Ofsted if they have a complaint that has not concluded to their satisfaction through the School's procedure.

Independent Schools Inspectorate

CAP House, 9-12 Long Lane, London EC1A 9HA

Telephone: 020 7600 0100

E-mail: concerns@isi.net

Web: www.isi.net

Ofsted

Piccadilly Gate, Store Street, Manchester M1 2WD.

Telephone: 03001234666

Email: enquiries@ofsted.gov.uk

Web: www.ofsted.gov.uk

Ratified: (date)

Review Due: (date)

Signed:

**Mrs J Smith
Principal**