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YORK STEINER SCHOOL

COMPLAINTS POLICY AND PROCEDURE

Approved by:	Board of Trustees	Date: January 2024
Last reviewed on:	January 2024	
Next review due by:	January 2025	

York Steiner School aims to provide quality teaching and pastoral care to its pupils. However, if parents do have a complaint, they can expect it to be taken seriously by the School and dealt with in accordance with the following procedure.

There is an underlying principle that concerns ought to be resolved, if at all possible, without the need for formal procedures. However, formal procedures will need to be invoked when initial attempts to resolve an issue are unsuccessful and the parent/carer remains dissatisfied and wishes to take the matter further.

The Head will be responsible for keeping records and will hold them centrally.

Legal framework:

This policy has due regard to the Independent Schools Standards (ISS) 2019 as well as statutory legislation, including, but not limited to, the following:

- The Education Act 2002;
- The Freedom of Information Act 2000;
- The Immigration Act 2016;
- The Equality Act 2010;
- The General Data Protection Regulation (GDPR);
- The Data Protection Act 2018.

Definition:

For the purpose of this policy, a “complaint” can be defined as ‘an expression of dissatisfaction’ which can be regarding actions taken or a perceived lack of action.

A concern can be defined as ‘an expression of worry or doubt’ for which reassurance is sought.

NB. For the purpose of this policy, “concerns” will be classed and addressed as complaints. Any further references to “complaints” will include “concerns”.

Making a complaint:

Complaints are not restricted to parents of attending pupils. The school will consider all complaints.

STAGE 1 - Informal Resolution:

We will endeavour to resolve concerns and complaints quickly and informally.

If parents have a concern or complaint they should normally contact their child's Class Teacher. In most cases the matter will be resolved straightaway by this means. If the parent/carer does not wish to raise the issue through the Class Teacher, or if the complaint is about the Class Teacher, they should contact the Head.

If the Class teacher cannot resolve the matter alone, or feel they need the support of another colleague, they will consult the Head.

If the complaint relates to a member of staff other than the Class Teacher, the parent/carer should contact their Class Teacher, who in most cases would be able to resolve the situation informally, together with the teacher concerned. The Head will be present to record the meeting.

In some instances, it may be good practice to call an informal meeting between the parent/carer and the person concerned, the Head will facilitate the meeting and act as an objective listening ear. The meeting would only take place after the Head has consulted all parties independently and feels that a meeting is appropriate and constructive.

The Head Teacher should be made aware of any meeting before it takes place including:

- Nature of the concern;
- Date and time of any relevant incident or event;
- Names of any witnesses;
- Any action already taken;
- Resolution sought.

Notes will be made at any meeting with the parent/carer, which will also be agreed by all parties. Should the matter not be resolved within 14 days, or in the event that the parties concerned fail to reach a satisfactory resolution, then the parent/carer will be advised of the option to make a formal complaint in accordance with stage 2 of this procedure.

STAGE 2 - Formal Resolution:

Put in writing

If the complaint cannot be resolved on an informal basis, then the parent/carer should put their complaint in writing to the Head, with a title 'OFFICIAL COMPLAINT'.

The School Management Group (SMG) will be informed of the official complaint within three working days. An Investigation Team will be created consisting of at least three people who are not directly involved in the matters detailed in the complaint. The parent/carer will be informed of the Investigation Team within three days of its creation.

Meet and discuss

Investigation

The Investigation Team will decide, after considering the complaint, the appropriate course of action to take.

In most cases the Investigation Team will meet with the parent/carer concerned, normally within seven days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.

It is strongly recommended that the parent/carer brings with them a friend for support.

Please note whilst the School allows a parent/care to be accompanied at a panel hearing, it does not confer a right on behalf of a parent/carer to have a legal representative to make representations on their behalf at the hearing, although the School can allow this if it wishes.

Where appropriate the Investigation Team will gather witness statements, any relevant staff documentation, photo evidence and refer to the schools Policies and Procedures.

At all meetings written notes will be made including the main points and changes required. Following the meeting, the parent/carer will sign these minutes to confirm agreement. An official note taker may be assigned to ensure a complete and accurate record is kept.

At any meeting it is an opportunity for two-way conversation so that the Investigation Team can hear first-hand the viewpoint of the parent. **No immediate decision will be made; time to reflect and consider what has been said will be needed.**

Decision

After considering all the evidence the Investigation Team will make a decision. The School Management Group will be informed of this decision prior to the parent/carer.

Where possible the decision will be made within 14 days of meeting with the parent/carer. This time may be required to gather additional information and meet with the respective management bodies, if required.

The parent/carer will be informed of this decision, the reasons for reaching the decision and any actions in writing.

If the parent/carer is still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

STAGE 3 – Appeal Panel Hearing:

If the parent/carer is not satisfied with the outcome of the Formal Resolution they will be informed of the option to invoke Stage 3.

If a parent/carer wishes to appeal against the findings and invoke Stage 3 they must do so in writing within three working days of the parent/carer receiving the decision. The letter or email subject title must state in capitals: 'OFFICIAL COMPLAINT - APPEAL AGAINST FORMAL RESOLUTION'

The Head will inform the Chair of the Board of Trustees.

An Appeal Panel will be formed and consist of at least three persons not directly involved in the matters detailed in the complaint. Each of the Appeal Panel members will be appointed by the Board of Trustees and is likely to consist of a member of the Board of Trustees and a

member of the School Management Group. In addition, it must also include a person who is independent of the management and running of the school.

The Appeal Panel will invite the parent/carer to a meeting within ten working days of receiving the appeal, or without necessary delay where for good reason it is not possible to hold the meeting within ten days. The right to be accompanied applies once again. Notes of this meeting will be taken.

Before the meeting, the Appeal Panel will review all the evidence gathered by the Investigation Team. If deemed necessary the Appeal Panel may re-interview.

The Appeal Panel will meet with the Investigation Team to understand their reasoning behind the decision they came to.

The Appeal Panel will make a decision within fourteen days of receiving the appeal, or if this is not possible without undue delay.

The decision of the Appeal Panel will be communicated to the Board of Trustees and SMG prior to the parent/carer being informed.

The Appeal Panel will inform the parent/carer in writing of their decision

The Appeal Panel's findings and, if any, recommendations will be sent in writing to the parents, the School Management Group, the Chair of the Board of Trustees and, where relevant, the person at whom the complaint was directed. When necessary the Appeal Panel will refer to the School's disciplinary procedure.

The Appeal Panels decision is final.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

If after having followed the complaints procedure the complainant remains dissatisfied with the school's response, they have the right to refer their complaint in writing to the DfE (Independent and Boarding Schools Team) Department for Education, Bishopsgate House, Feethams, Darlington, DL1 5QE with the details of their complaint.

Early Years

Early Years will follow the same procedure as above but on a shortened timescale where final resolution will be reached within 28 days of the complaint being raised.

After having followed the complaints procedure, if an Early Years parent/carer feels dissatisfied with the School's response, they may contact Ofsted with the details of their complaint via 0300 123 1231 or enquiries@ofsted.gov.uk

Complaints not covered by this procedure

Complaints regarding the following topics should be directed to the LA:

- Statutory assessments of SEND
- School re-organisation proposals
- Admissions to schools

Complaints about child protection matters will be handled in line with the school's Child Protection and Safeguarding Policy and in accordance with relevant statutory guidance. Any child protection complaints should be directed to the LA Designated Officer (LADO) or the Multi-Agency Safeguarding Hub (MASH).

The school has an internal Speak Up (whistleblowing) procedure for all employees, including contractors and temporary staff. Complaints of this nature should not be addressed using this complaints procedure. These concerns can be directed to Ofsted by telephone on: 0300 123 3155 or via email at: whistleblowing@ofsted.gov.uk.

Volunteers who have concerns about the school or a member of staff should make their complaint in line with this policy. Volunteers may also be able to complain to the LA or DfE, depending on what the complaint is about.

Staff grievances and disciplinary procedures will be dealt with using the School's Grievance and Disciplinary policies and procedures. In these cases, complainants will not be informed of the outcome of any investigations; however, they will be notified that the matter is being addressed.

This complaints procedure is not to be used when addressing any complaints made about services provided by a third party who may use the school premises or facilities. All complaints concerning this should be directed to the service provider.