



## COMPLAINTS PROCEDURE March 2016

### Introduction

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 / guardian remains dissatisfied and wishes to take the matter further.

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

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## Stage 1 - Informal Resolution

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

If parents have a concern or complaint they should normally contact their son/daughter's Class teacher. In most cases the matter will be resolved straightaway by this means. If the parent / guardian does not wish to raise the issue through the class teacher they should contact the Administrator.

If the Class teacher cannot resolve the matter alone, or feel they need the support of another colleague, they will consult the Administrator or Chair of Education Mandate depending upon the nature of the concern.

### **The Administrator 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

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

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

Complaints made directly to the Chair of the School Management Group (SMG) will usually be referred to the Chair of Education Mandate or Administrator depending upon the nature of the concern. If the concern relates to the Administrator or the Chair of Education Mandate then the Chair of SMG will deal with stage 1 of this procedure. In such cases the SMG Chair may agree to facilitate a meeting between all parties.

Notes will be made at any meeting with the parent / guardian, which will also be agreed by all parties. Should the matter not be resolved within 7 days, or in the event that the parties concerned fail to reach a satisfactory resolution, then the parent / guardian will be advised of the option to make a formal complaint in accordance with stage 2 of this procedure.

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## Stage 2 - Formal Resolution

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### ***Put it in writing***

If the complaint cannot be resolved on an informal basis, then the parent / guardian should put their complaint in writing to the SMG Chair or HR Mandate Holder with a title 'OFFICIAL COMPLAINT'.

The School Management Group will be informed of the official complaint within 3 working days. An **Investigation Team** will be created (usually of the SMG Chair and the HR Mandate Holder). The Parent / guardian will be informed of the Investigation Team within 2 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 / guardian concerned, normally within 7 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 / guardian brings with them a friend for support (solicitors should not attend). **The school will in most instances postpone the first meeting if the parent / guardian is not accompanied.**

Where appropriate the Investigation Team will gather witness statements, records of maintenance and training, 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. The parent / guardian 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 2 way conversation so that the Investigation Team School can hear first-hand the view point 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/Guardian.

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

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

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

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## Stage 3 - Appeal Panel Hearing

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

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

The Chair of the SMG 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, a member of the School Management Group and a person who is independent of the management and running of the school.

The Appeal Panel will:

1. Invite the parent / guardian to a meeting within 10 working days of receiving the appeal or without necessary delay where for good reason it is not possible to hold the meeting within 10 days. Notes of this meeting will be taken.

The right to be accompanied applies once again and the meeting may be adjourned if the companion is unavailable.

2. Review all the evidence gathered by the Investigation Team. If deemed necessary the Appeal Panel may re-interview.
3. Meet with the Investigation Team to understand their reasoning behind the decision they came to.

The Appeal Panel will make a decision within 14 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 BoT and SMG prior to the parent / guardian being informed.

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

The Appeal Panel's findings and, if any, recommendations will be sent in writing to the parents, the SMG Chair, 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 will be kept confidential except in so far as is required of the school by paragraph 6 (2) (j) of the Education (Independent Schools Standards) Regulations 2003; where disclosure is required in the course of the school's inspection; or where any other legal obligation prevails.

**After having followed the complaints procedure if a Main School parent or carer feels dissatisfied with the school's response, they may contact 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 or carer feels dissatisfied with the schools response, they may contact Ofsted with the details of their complaint via 0300 123 1231 or [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)**

## **Approval & Review**

This policy has been approved by the Board of Trustees on 3<sup>rd</sup> March 2016

Policy review date:

February 2017

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## **Appendix 1: Basic Principles underlying each stage**

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### ***Investigating Complaints***

At each stage the person investigating the complaint will make sure that they:

- Establish the facts and who has been involved
- Clarify the nature of the complaint and any unresolved issues
- Meet the parent / guardian or contact them
- Clarify what the parent / guardian feels would put things right
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- Conduct the interview with an open mind and be prepared to persist in the questioning
- Keep notes of the interview

### ***Resolving Complaints***

At each stage the school will keep in mind ways in which the complaint can be resolved. It may be sufficient to acknowledge that the complaint is valid, either in total or in part. In addition it may be appropriate to offer one of the following:

- An apology, either verbal or in writing
- An explanation
- An admission that the situation could have been handled differently or better
- An assurance that the event complained of will not recur
- An explanation of the steps that have been taken to ensure that it will not happen again
- An undertaking to review school policies in light of the complaint
- Implementation of the Disciplinary Procedure

It is helpful if parent / guardians are encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.