



BROMSGROVE SCHOOL

CONCERNS AND COMPLAINTS POLICY

Author:	Headmaster
Reviewed:	October 2018
Next Review Due:	October 2019
Scope:	All Schools

POLICY AIMS

This policy applies to the Senior School, Preparatory School, Pre-Preparatory School and Winterfold School including those in the EYFS settings.

It aims to ensure that current pupils, parents and staff of the School are able to raise a concern, air a grievance, or make a formal complaint following a process that is fair, transparent, timely and designed to maximise the chance of a positive resolution.

Whilst the School is fundamentally committed to providing the best possible education for all children, within a safe and accommodating environment, we accept that unhappiness about that provision may occur from time to time. We are a large, complex, human organisation; mistakes can occur and differences of opinion arise. We are also a learning community and it is important that the School is seen to practice the self-reflection and determination to improve that we try to instil in our pupils.

Accordingly, this policy endorses openness towards listening to suggestions, addressing concerns and dealing seriously with complaints raised. Those with grievances are encouraged to mention these as early as possible, allowing us opportunity to try to rectify a problem or to explain the School's position before a matter becomes intractable.

At the heart of this policy is a belief that both parents and staff share the same desire to see pupils flourish in our care. Educational research makes it very clear that an important component of a successful education is a strong partnership between parents and teachers. Therefore, regardless of the nature of any complaint, this policy encourages presenting a united front to pupils whilst a matter is resolved, so as to avoid damaging mixed messages and an undermining of the authority of either party in their eyes.

GUIDING PRINCIPLES

- Concerns or complaints should be managed sympathetically, discretely, efficiently and with due dignity to all parties.
- Safeguarding and the promotion of pupil welfare will always be the priority in addressing any concerns or complaints.
- Matters raised will be dealt with at the appropriate level and resolved as swiftly as possible, but without undue haste. We recognise that matters that are unresolved risk becoming a cause of resentment, which can erode relationships and confidence in the School.
- The School will try to resolve every concern or complaint in a positive way, with the aim of putting right that which may have gone wrong and, where necessary, reviewing our systems and procedures in light of the circumstances.
- Complainants should never be made to feel that their concerns are trivial, will be taken amiss or will adversely affect any pupil at School.
- The policy however distinguishes between a concern or difficulty which can be resolved informally and a formal complaint which will require investigation.
- This policy has regard to other School policies, some of which may take precedence in certain situations. Examples include, but are not limited to: Safeguarding Children Policy, Exclusion Policy, Parent Contract (including Terms & Conditions)
- This policy takes account of the Education (Independent School Standards) Regulations 2014 in force from 5th January 2015. The processes set out below may be adapted as appropriate to meet the policy aims and circumstances of each case. Certain procedures can only be carried out during term time.

TERMS

For the purposes of this policy, the following terms are defined as:

Pupils: refers to all children enrolled (including prior to arrival) in any of the four Bromsgrove Schools.

Staff: refers to all staff, teaching and support, in any of the four Bromsgrove Schools.

Parents: refers to all current or prospective parents or legal guardian or education guardian, and may, at our discretion, include a parent whose child has recently left the School.

Level of Concern or Complaint:

This policy identifies three levels of concern or complaint, acknowledging that matters can sometimes start at one level and escalate to the next if not satisfactorily resolved:

Level 1: informal raising of a concern or difficulty, notified orally or in writing to a member of staff

Level 2: a formal complaint, made in writing to the Headmaster/Headmistress.

Level 3: a formal complaint, made in writing to the Complaints Panel.

If a parent wishes to raise a complaint directly against the Headmaster/Headmistress, they should commence with Level 3.

Safeguarding Concerns: any concern relating to the safety of a child falls under the School's Safeguarding Children Policy and its processes take priority over the Concerns & Complaints Policy. Such matters should be notified immediately to the Designated Safeguarding Lead and/or the Headmaster/Headmistress of the School concerned.

Complaints Officer: When a Level 2 complaint is raised, a senior staff member will be appointed to conduct the initial investigation. The Complaints Officer will be the Deputy Head (Pastoral) of the School concerned. If the Complaints Officer is unavailable or is the subject of the complaint, his/her duties will be carried out by the Headmaster/Headmistress or another delegated senior member of staff.

LEVEL 1: INFORMAL CONCERNS

Concerns: we expect that most concerns, where a staff member, parent or pupil seeks intervention, reconsideration or some other action to be taken, can be resolved informally. Examples might include dissatisfaction about some aspect of teaching or pastoral care, or about allocation of privileges or responsibilities, or about a timetable clash or some other aspect of the School's systems or equipment, or a billing error.

Notification: Concerns should be raised initially as follows:

Academic issues: if the matter relates to the classroom, the curriculum or special educational needs, it should be raised with the Tutor or House Parent (Senior School) or Class Teacher (Winterfold, Preparatory and Pre-Preparatory Schools) as appropriate.

Pastoral care: concerns relating to matters outside the classroom should be raised with the Houseparent (Senior School) or Class Teacher (Winterfold, Preparatory and Pre-Preparatory Schools) as appropriate.

Disciplinary matters: a problem over any disciplinary action taken or a sanction imposed should be raised with the Houseparent (Senior School) or Class Teacher (Winterfold, Preparatory and Pre-Preparatory Schools), and if not resolved, with the relevant Deputy Head (Pastoral.)

Financial matters: a query relating to fees or extras should be stated in writing to the Bursar.

Acknowledgement: we will acknowledge a written notification by telephone, e-mail or letter within two working days of receipt during term time and as soon as practicable in the holidays. A matter raised orally will not necessarily be acknowledged in writing but will be recorded.

Records: Given the diverse nature of Level 1 complaints, they are not recorded in a central register but rather, in the respective files of Houseparents, Heads of Department, Deputy Heads or other relevant senior staff managers.

Resolution: The School will do its best to resolve concerns to the satisfaction of all parties. Concerns that cannot be resolved by informal means within 15 working days should be notified in writing as a formal complaint, which will then be dealt with in accordance with Level 2 below.

LEVEL 2: FORMAL COMPLAINT

Notification: a Level 1 concern that is unresolved, or a complaint which needs investigation, or dissatisfaction with some aspect of the School's policies, procedures, management or administration, should be set out in writing. It should include the complainant's contact details, full explanation of the complaint and all relevant associated documents for consideration. The complaint should be addressed to the Headmaster/Headmistress or to the relevant Complaints Officer.

Acknowledgement: Written Level 2 complaints will be acknowledged by telephone, email or in writing within two working days during term time, indicating the action that is being taken and confirming that a response will be provided within five working days, unless a more lengthy investigation is required. Written complaints received during holiday breaks will be addressed as soon as is practicable.

Investigation: the Headmaster/Headmistress will appoint a Complaints Officer to act as "investigator". The investigator may request additional information from the complainant and may also wish to speak to them and to others who have knowledge of the circumstances. The outcome of the investigation will be reported to the Headmaster/Headmistress, who will then notify the complainant in writing of their decision and the reasons for it within five working days of the complaint being acknowledged.

Records: Written records will be kept of all Level 2 complaints. These are the responsibility of the Headmaster/Headmistress of the respective Schools. A file will contain a register of all Level 2 complaints and a record of the salient documentation related to each one. The register will also identify those complaints relating specifically to boarding and EYFS issues.

LEVEL 3: REFERRAL TO A COMPLAINTS PANEL

Notification: If a complainant is still dissatisfied with the Headmaster's/Headmistress' decision after a Level 2 investigation, their complaint may be renewed in writing to the Chairman of the Governing Body. A letter to the Chairman should give full details of the complaint and enclose all relevant documents and full contact details.

Acknowledgement: Level 3 letters of complaint will be acknowledged by telephone, email or in writing within four School days during term time, indicating the action that is being taken. During holidays, an acknowledgement will be provided as soon as is reasonably practicable.

Action: The Chairman of Governors will determine whether a further investigation of the complaint is warranted. If so, a Complaints Panel will be convened. If not, reasons for not pursuing the Level 3 complaint will be communicated in writing.

Complaints Panel Composition: The Complaints Panel ("Panel") will comprise two School Governors and a member who is independent of the governance, management and running of the School. They will have no detailed prior knowledge of the circumstances of the complaint.

Response: The Clerk to the Governors will convene the Complaints Panel as soon as is reasonably practicable. In term-time, that will be within 15 School days of the Chairman of Governors acknowledging and confirming the request for a hearing. The Panel will not normally sit during half-terms or School holidays. The Clerk will send the complainant written notification of the date, time and place of the hearing together with brief details of the Panel members who will hear it.

Attendance: Complainants will be asked to attend the hearing and may be accompanied by one other person such as a relative, teacher or friend. It is not necessary for that person to be legally qualified but if they do wish to be accompanied by a legally qualified person, acting in their professional capacity, the School must be notified at least seven School days before the hearing. Copies of additional documents that a complainant may wish the Panel to consider should be sent to the Clerk at least three clear days prior to the hearing.

Chairman: The hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in an informal manner.

Hearing: All statements made at the hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes. The Chairman may direct that the hearing is tape recorded to assist accurate recollection for purposes of the decision. The Panel will be under no obligation to retain tapes thereafter. The Clerk will be asked to take a handwritten minute of the proceedings in any event.

Evidence: The Chairman will conduct the hearing in such a way as to ensure that all those present have the opportunity of asking questions and making comments in an appropriate manner. The hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.

Conduct: All those attending the hearing are expected to show courtesy, restraint and good manners or, after due warning, the hearing may be adjourned or terminated at the discretion of the Chairman. If terminated, the original decision will stand. Any person who is dissatisfied with any aspect of the way the hearing is conducted must say so before the proceedings go any further and his/her comment will be minuted.

Adjournment: The Chairman may, at his/her discretion, adjourn the hearing for further investigation of any relevant issue.

Decision: After due consideration of the matters discussed at the hearing the Panel shall reach a Decision unless there is an agreed position. The Panel's decision may be notified orally at the hearing, or subsequently, and shall be confirmed in writing to the complainant within seven working days. Reasons for the Decision will be given. The Decision may include recommendations and will be sent to the complainant, the Chairman of the Governing Body, the Headmaster and, where relevant any person about whom the complaint has been made.

Private proceeding: a hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be made available directly or indirectly to the press or other media.

Records: As with Level 2 complaints, a written record will be kept in the Complaints register of all complaints that proceed to a Panel hearing. Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required by Paragraph 7 of the Schedule to the Education (Independent School Standards) Regulations 2014, as amended in January 2015. That is, where access is requested by the Secretary of State or where disclosure is required in the course of an inspection or under other legal authority. The School will provide ISI, on request, with a written record of all complaints made during any specified period and the action that was taken as a result. Therefore, record of complaints will be kept for at least three years to accommodate the inspection cycle. In accordance with data protection principles, details of individual complaints will then normally be destroyed following each School inspection. In exceptional circumstances some details will be retained for a further period as necessary.

Early Years Foundation Stage (EYFS): Special obligations apply to any complaints about the EYFS provision in both the Pre-Preparatory and Winterfold Schools. As well as following the Complaints procedures detailed in this policy, complainants who remain unhappy at the end of a Level 3 process may make a complaint to the Independent Schools Inspectorate (ISI) or Ofsted. Details of how to contact ISI and Ofsted are given at the end of this policy. Complainants will be notified by the School of the outcome of the investigation within 28 days of the complaint being received.

APPENDIX 1: CONTACT DETAILS (SCHOOL)

Mr P Clague (Headmaster, Senior School)	Headmaster@bromsgrove-school.co.uk 01527 579679 ext. 205
Mrs J Deval-Reed (Head of Pre-Preparatory & Preparatory Schools)	PrepHead@bromsgrove-school.co.uk 01527 579679 ext. 371
Mrs Denise Toms (Head of Winterfold School)	TomsD@winterfoldhouse.co.uk 01562 777234
Complaints Officers:	
Mr A McClure (Deputy Head (Pastoral), Senior School)	AMcClure@bromsgrove-school.co.uk 01527 579679 ext. 250
Mr M Marie (Deputy Head (Pastoral), Preparatory School)	MMarie@bromsgrove-school.co.uk 01527 579679 ext. 272
Mr B ETTY-Leal (Deputy Head (Pastoral), Pre-Preparatory School)	BenETTY-Leal@bromsgrove-school.co.uk 01527 579679 ext. 384
Mr Ross Mitchell (Deputy Head (Pastoral), Winterfold School)	RMitchell@winterfoldhouse.co.uk 01562 777234
Mr P West (Chairman of Governors)	01527 579679 ext. 205
Mr J Sommerville (Clerk to the Governors)	01527 579679 ext. 205

APPENDIX 2: CONTACT DETAILS (EXTERNAL)

EYFS: Please note that only complaints concerned with the School's failure to meet EFYS requirements can be made to ISI or Ofsted.

Contact Details For ISI

Independent Schools Inspectorate
CAP House
9-12 Long Lane
London
EC1A 9HA

Telephone: 020 7600 0100

Contact Details For Ofsted

National Business Unit
Ofsted
5th, 6th and 7th Floors
Piccadilly Gate
Store Street
Manchester
M1 2WD

Telephone: 0300 1234 234

Email: enquiries@ofsted.gov.uk

Staff on the helpdesk will discuss your concerns with you, advise you about whether to put your complaint in writing or suggest other ways to deal with your concerns, or you can fill in an online complaints form at www.ofsted.gov.uk/onlinecomplaints.