



Complaints Policy and Procedure

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Introduction

Leicester High School prides itself on the quality of the education, pastoral care and support provided to its pupils. However, the School recognises that there may be occasions where parents wish to raise concerns or make a complaint. This Complaints Policy and Procedure outlines the process by which such matters will be handled fairly, promptly and in accordance with regulatory requirements.

This Complaints Procedure is available on the School's website, and a hard copy is available free of charge from the School office during the School day. The School will make available, on request, details of this Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year to Ofsted, the Department for Education (DfE), or the Independent Schools Inspectorate (ISI).

This procedure may be used only by parents of current pupils. Complaints by parents of former pupils will be considered under this procedure only if the complaint was raised while the pupil was still registered at the School. For the purposes of this policy, "parent" means a person who has parental responsibility for, or care of, a child.

What Constitutes a Complaint

A complaint is an expression of dissatisfaction with a real or perceived problem. This may relate to the School as a whole, a specific department, or an individual member of staff. Any matter about which a parent is unhappy and seeks action by the School is within the scope of this procedure.

All complaints will be taken seriously and handled sensitively and confidentially. Pupils will not be penalised for a complaint raised in good faith by them or on their behalf.

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 Education and Skills Act 2008 requests access to them. The School is here for your child, and you can be assured that your child will not be penalised for a complaint that you, or your child, raise(s) in good faith.

The Three-Stage Complaints Procedure

Acknowledgement of a complaint will normally be issued within **48 hours** of receipt during term time. Complaints received during school holidays may be acknowledged once term has resumed.

Stage 1 – Informal Resolution



It is hoped that most complaints and concerns will be resolved quickly and informally. If parents have a complaint, they should normally contact their daughter's Class/Form teacher, or Head of Year/EYFS Co-ordinator/Head of Junior Department. In many cases, the matter will be resolved straightaway by this means to the satisfaction of all concerned. If they cannot resolve the matter alone, it may be necessary for him/her to consult the Assistant Head, or the Deputy Head.

Complaints made directly to a Head of Department, or a member of the Leadership Team, will usually be referred to the relevant Class/Form teacher or Head of Year/EYFS Co-ordinator/Head of the Junior Department unless the individual member of staff deems it appropriate for him/her to deal with the matter personally.

The Class/Form teacher or Head of Year/EYFS Co-ordinator/Head of the Junior Department will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved **within 7 working days**, or in the event that the Class/Form teacher or Head of Year/EYFS Co-ordinator/Head of the Junior Department 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 Complaints Procedure.

If, however, the complaint is against the Headteacher, parents should make their complaint directly to the Chair of Governors, whose contact details are available from the School Reception on request.

Stage 2 – Formal Resolution

If the complaint cannot be resolved informally, parents should submit their complaint **in writing** to the Headteacher.

The Headteacher will acknowledge receipt of the complaint and, where appropriate, meet with the parents within **5 working days** to discuss the matter. Further investigation may be undertaken if required. It may be necessary for the Headteacher, or their nominee, to carry out further investigations.

The Headteacher will **keep written records** of all meetings and interviews held in relation to the complaint.

Once the Headteacher is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made, and parents will be informed of this decision in writing if appropriate. The Headteacher will also give reasons for his decision. In most cases, the Headteacher will make his decision and provide the parents with reasons **within 15 working days** of the complaint being put in writing.



If the complaint is against the Headteacher, the complaint should be made to the Chair of Governors. The Chair of Governors, or their nominee, will call for a full report from the Headteacher and for all the relevant documents. The Chair of Governors, 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 Chair of Governors, 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 Chair of Governors, or their nominee, will give reasons for his/her decision.

If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

Stage 3 – Panel Hearing

If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they should do so in writing to the Clerk to the Governors **within 5 working days** of receiving the decision at Stage 2, setting out their grounds of appeal. Any supporting evidence which the parents wish to rely on should also be provided with their grounds of appeal. To the extent the parents are unable to provide their complaint within the time period stipulated due to extenuating circumstances which have impeded the parents from taking action, the parents should request an extension in writing. Such a request should be made to the Clerk to the Governors in advance of the original deadline, setting out the further time period requested and the reason for this. This will be considered.

The Clerk to the Governors, who has been appointed by the Governors to call hearings of the Complaints Panel, will then refer the appeal to the Complaints Panel for consideration. The Panel will consist of three persons not directly involved in the matters detailed in the complaint and one of whom shall be independent of the management and running of the School. The Panel members will be appointed by the Governing Body. The Complaints Panel will appoint one of the Panel members to act as the Chair of the Panel. The Chair of Governors, on behalf of the Governors, will then acknowledge the complaint **within 7 working days** and schedule a hearing to take place **within 20 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 particulars shall be supplied to all parties **not later than 5 working days** prior to the hearing.

The parents may attend the hearing and be accompanied to the hearing by one other person if they wish. The Headteacher shall also be entitled to be accompanied to the hearing by one other person if they wish. This may be a relative, teacher, or friend. Legal representation will not normally be appropriate. The Panel will decide whether it would be helpful for witnesses to attend.



The remit of the Panel shall be at the discretion of the Chair of Governors and the manner in which the hearing is conducted shall be at the discretion of the Panel.

If possible, the Panel will resolve the parents' complaint 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 the merits of the complaint all facts they consider relevant, **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.

The Panel will write to the parents, and all other involved parties, informing them of its decision and the reasons for it, **within 7 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 and recommendations (if any) will be sent by electronic mail, or otherwise, given to the parents, and, where relevant, the person complained about, as well as the Chair of Governors and the Headteacher. A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the School premises by the Chair of Governors and the Headteacher.

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: the School's target is to complete the first two stages of the procedure **within 20 working days**. Stage 3, the Appeal Panel Hearing, will be completed **within a** further 20 working **days**.

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

Following resolution of a complaint, the School will keep a written record of all formal complaints, whether they are resolved at the Stage 1 (informal stage), the formal stage (Stage 2), or proceed to a Panel hearing (Stage 3) and any action taken by the School as a result of the complaint (regardless of whether the complaint is 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
- Name of 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 *Data Protection Policy*, but potentially including, for instance, information relating to physical or mental health where this is necessary owing to the nature of the complaint. This data will be processed in accordance with the School’s *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 Policy*, *Data Protection Policy*, and *Retention of Records policy*. All records relating to complaints shall be treated as confidential. In addition to were requested by the Secretary of State or an inspector (see above), there may be other circumstances where disclosure of the substance of a complaint or particular confidential records relating to it is required, for example, where there is a legal, regulatory, safeguarding or data protection obligation (e.g., in response to a subject access request) which prevails over the requirement to maintain the records as confidential.

A member of the Governing Body regularly inspects the Complaints folder and discusses individual complaints with the Headteacher to ensure any patterns which emerge are addressed, or a deeper problem which must be remediated.

Parents of EYFS children should follow the three stages of this Complaints Procedure. If parents remain dissatisfied and their complaint is about the School’s fulfilment of the EYFS requirements, then parents may take their complaint to the ISI or Ofsted. Parents will be notified by ISI or Ofsted of the outcome of the investigation into their complaint **within 28 days** of the complaint being received. A record of all such written complaints must be kept **for 3 years**.

Leicester High School will provide ISI/Ofsted, on request, with a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint. The record of any such complaints will be kept in accordance with its Privacy Notice.

Parents may complain directly to Ofsted or to ISI if they believe the provider is not meeting the EYFS requirements. Schools must make available details of how to contact Ofsted and/ or the ISI:

Ofsted can be contacted on 0300 123 1231 or by email: enquiries@ofsted.gov.uk

Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD

ISI can be contacted on 020 7600 0100 or by email: concerns@isi.net

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

