

Complaints and Concerns Procedures



Introduction

Sandwell Valley School take complaints extremely seriously and will endeavour to answer complaints as effectively and efficiently as possible within the guidelines below. Jennifer Hall is the Complaints Co-ordinator. It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and Sandwell Valley School is crucial in determining whether the complaint will escalate.

What Constitutes a Complaint?

The Independent School Standards and the Department for Education do not distinguish between 'concerns' and 'complaints'. Any matter about which a parent of a student is unhappy and seeks action by the School is a complaint and is in the scope of this Policy whatever the School labels it as.

A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the School as a whole, about a specific department or about an individual member of staff, and any matter about which a parent is unhappy and seeks action by the School is within the scope of this policy. A complaint is likely to arise if a parent believes that the School has done something wrong, failed to do something that it should have done or has acted unfairly.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. 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 in good faith.



The Three-stage Complaints Procedure

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 child's Complaints Co-ordinator. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Complaints Co-ordinator cannot resolve the matter alone it may be necessary for him/her to consult the Principal
- Complaints made directly to the Principal will usually be referred to the relevant Complaints Co-ordinator unless the Principal deems it appropriate to deal with the matter personally
- The Complaints Co-ordinator 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 days or in the event that the Complaints Co-ordinator 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
- If, however, the complaint is against the Principal, parents should make their complaint directly to the Chair of Governors

Stage 2: Formal Resolution

- If the complaint cannot be resolved on an informal basis then the parents should put their complaint in writing to the Principal
- Although all formal complaints must be made in writing, this does not mean that the formal stage is automatically triggered whenever a concern is expressed in writing, for example by email
- The Principal will decide, after considering the complaint, the appropriate course of action to take
- In most cases, the Principal will meet the parents concerned, normally within 7 days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage
- It may be necessary for the Principal to carry out further investigations
- The Principal will keep written records of all meetings and interviews held in relation to the complaint and will file them electronically in the Shared SMT/Complaints folder
- Once the Principal 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. The Principal will also give reasons for the decision.
- If the complaint is against the Principal, the Chair of Governors will call for a full report from the Principal and for all the relevant documents. The Chair 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 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 will give reasons for the decision

- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure
- The Principal will record whether the complaint was resolved at the Formal Resolution stage or whether it proceeded to Stage 3 of this procedure. The record will be filed in Shared SMT/Complaints folder

Stage 3: Independent Panel Hearing

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they will be referred to the convenor who has been appointed by the Governors to call hearings of the Complaints Panel
- The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of three independent 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. DfE guidance on the identity of the independent panel member is set out in Appendix 1. The convenor, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 14 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. Copies of such particulars shall be supplied to all parties normally not later than seven days prior to the hearing
- The parents may attend the hearing and 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
- 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 all facts they consider relevant, the Panel will make findings and may make recommendations
- The Panel will write to the parents informing them of its decision and the reasons for it, normally within seven days of 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 and will be made available for inspection on the School premises by the Governors and the Principal

Time frame for Dealing with Complaints

All complaints will be handled seriously and sensitively. They will be acknowledged within five working days if received during term time and as soon as practicable during holiday periods. 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 28 days if the complaint is lodged during term-time and as soon as practicable during holiday periods.

Stage 3, the Appeal Panel Hearing, will be completed within a further 28 days, if the appeal is lodged during term-time and as soon as practicable during holiday periods.

Recording Complaints

Following resolution of a complaint, the School will keep a written record of all complaints and whether they are resolved at the preliminary stage or proceed to a panel hearing and the action taken by the School as a result of these complaints regardless of whether they are upheld. At the School's discretion, additional records may be kept which may contain the following information:

- Date when the issue was raised
- Name of parent
- Name of student
- Description of the issue
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name 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)

Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required by paragraph 33(k) of Schedule 1 to the *Education (Independent Schools Standards) Regulations (2016)*.

The 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 for at least three years (subject to the supervening requirements of the Goddard Enquiry set out in Appendix 2).

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 ISI:

- Ofsted may be contacted on 0300 1234 234 or by email: enquiries@ofsted.gov.uk
- ISI may be contacted on 020 7600 0100 or by email: concerns@isi.net

If you need help to fill in this form please ask a member of Sandwell Valley School

Please forward to: Sandwell Valley School

Complainant Details (This section is to be completed by all complainants)

Name:			
Address:			
Telephone Number:		Mobile No:	
Email:			

Equality and Diversity Information

Complainant						
Student		Parent		Employer		Other

Age						
Under 16		16 -18		19-25		25+
						Prefer not to say

Mode of Attendance						
Full-time		Part-time		Work Place		N/A

Disability				Gender			
Y		N		Prefer not to say		Female	
						Male	
						Prefer not to say	

Ethnicity							
Bangladeshi		Black African		Black Caribbean		Black Other	Chinese
Indian		Mixed Race		Other Asian		Pakistani	White

Secondary Complainant Details

Name:			
Address:			
Telephone Number:		Mobile No:	
Email:			

Preferred Contact Details – please circle/indicate

Please contact **me** by Phone/Email/In Writing

Please contact **the person above on my behalf** by Phone/Email/In Writing

Complaint Details

Please give a clear overview of the issue, including details such as how/what/when/where/who etc.

Sandwell Valley School

Please detail who you believe to be at fault and why:

Please state what course of action you believe should be taken:

Do you have any further comments or suggestions you would like to add?

Signed:

Date:

Sandwell Valley School

Data Protection Act 1998

Sandwell Valley School has a duty to protect the personal data it processes. To comply with this legislation, information must be collected and used fairly, stored safely and not disclosed to any person unlawfully.

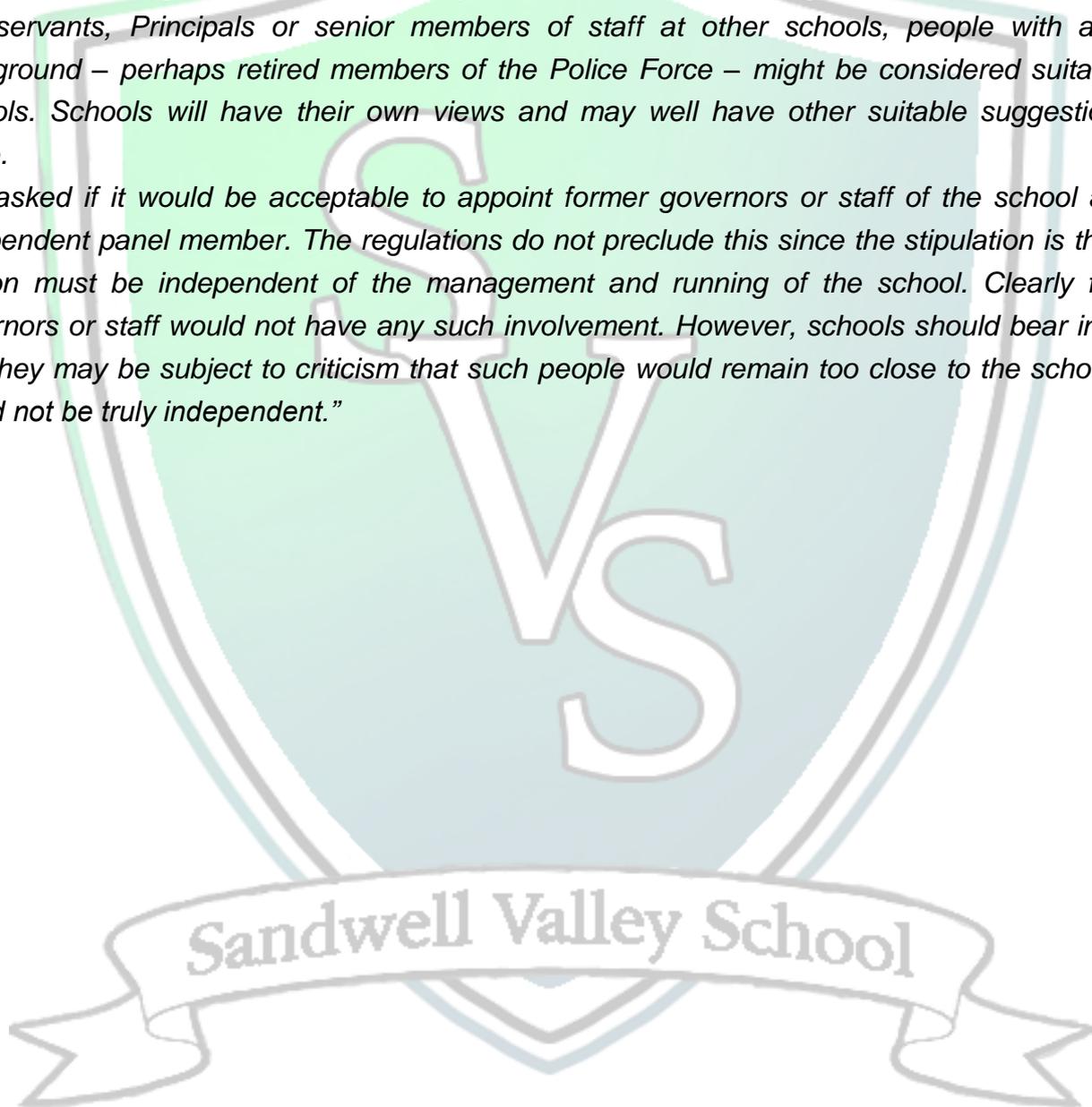
Appendix 1

Complaints Procedure: Independent Member of the Panel

The DfE has supplied the following guidance in a letter to the ISC General Secretary:

“Whilst we do not intend to be prescriptive our general view is that suitable people would be those who have held positions of responsibility and who are used to analysing evidence and putting forward balanced arguments/points. It would add credibility if independent panel members had some standing in the local community. In this connection serving or retired business people, civil servants, Principals or senior members of staff at other schools, people with a legal background – perhaps retired members of the Police Force – might be considered suitable by schools. Schools will have their own views and may well have other suitable suggestions to make.

You asked if it would be acceptable to appoint former governors or staff of the school as the independent panel member. The regulations do not preclude this since the stipulation is that the person must be independent of the management and running of the school. Clearly former governors or staff would not have any such involvement. However, schools should bear in mind that they may be subject to criticism that such people would remain too close to the school and would not be truly independent.”



Appendix 2

Goddard Enquiry

The Goddard inquiry was launched at the beginning of July 2015. The inquiry will investigate whether public bodies and other non-state institutions have taken seriously their duty of care to protect children from sexual abuse in England and Wales.

Judge Goddard makes very clear in her opening statement the importance of retaining records. She has written to institutions including local authorities and religious organisations on the subject of retaining records but she has confirmed that the content of those letters should be taken to apply to all institutions which have had responsibility for the care of children.

In view of Judge Goddard's clear direction to institutions not to destroy records the School will not destroy student records after the customary seven year period, as determined by the DPC in accordance with the Data Protection Principles published by the Information Commissioner's Office, but will retain them and all staff records until the enquiry has concluded. The Goddard enquiry 'trumps' any data protection legislation.

Recording Log

The Complaints recording log can be found on the shared drive in the complaints folder.

Date: September 2020

Review Date: September 2021

