

THE LONDON ORATORY SCHOOL COMPLAINTS PROCEDURE



Approved by: Finance and resources Committee **Date:** September 2020

Last reviewed on: September 2020

Next review due by: September 2021

The procedure has been reviewed with reference to the guidance produced by the Education and Skills Funding Agency (ESFA) and the Education [Independent Schools Standards (England)] Regulations 2014.

The procedure is limited to parents/guardians. Throughout the procedure the aim of all parties should be not only to resolve the complaint but also to develop and sustain good relationships between all members of the school community. However formal or serious the complaint, or however dissatisfied the complainant, the aim will always be reconciliation between all parties and a renewed commitment to work together amicably.

This Complaints Procedure does not apply to members of staff, who should use their own grievance and discipline procedures, or to any matter for which separate provision is made, such as admissions, exclusions and curriculum complaints.

Urgent complaints will be considered as quickly as possible. If it is clear that investigation of a relevant complaint will take some time, the complainant will be informed of this and of progress during consideration of the complaint.

Where the complaint concerns the Headmaster, the complainant should write formally to the Chairman of Governors, at the school address. In these circumstances, the procedure will be as set out below, except that 'Chairman of Governors' shall be substituted for 'Headmaster'.

Informal Procedure

Where a parent/guardian has a concern about matters covered by these arrangements, he should, in the first instance, seek to resolve the matter informally with the school. Confidential records of letters, conversations, phone calls or other communications will be kept for future reference. If the matter is not resolved within 5 school days the complainant may choose to move to the formal procedure

Formal Procedure

Normally, the formal procedures should only be used when it has not been possible to resolve an issue by other means and the person raising the concern remains dissatisfied and wishes to take the matter further, using the formal complaints procedure set out below.

Stage 1

- 1.1 The complainant should write formally to the Headmaster setting out the grounds of the complaint.
- 1.2 On receiving a formal complaint the school will respond within 5 school days informing the complainant of how the Headmaster will investigate and determine the complaint.
- 1.3 The Headmaster will provide a full response to the complaint within a further 10 days. If the matter needs more time to be resolved the school will keep the complainant informed. The Headmaster will inform the complainant of his decision, the reasons for it and any action to be taken.
- 1.4 If the complainant is dissatisfied with the Headmaster's response, the complainant may refer the complaint to the Governing Body.

Stage 2

- 2.1 The complaint will be considered and disposed of by a committee of three members set up by the Governing Body, excluding the Headmaster, to include an Independent Member, to be appointed by the Chairman for the purpose. The Independent Member shall not be connected to the running or the management of the School. The Clerk shall not be a member of the

Committee. The Chairman of the Governing Body shall appoint the Chairman of the Committee. The Clerk will write to the complainant with details of how the Committee will consider the complaint and will provide him a copy of these arrangements.

2.2 The Clerk will convene a meeting of the Committee to consider the complaint within 10 school days (or such time as may be expedient in the circumstances) of receiving the complaint. The complainant will be kept informed if the timescale cannot be met. The Clerk will give the complainant a minimum of seven calendar days' notice of the date, time and place of the meeting.

2.3 The Committee may receive written evidence from the complainant on the complaint and from the Headmaster on what action has been taken to resolve the complaint. Any written evidence will be circulated to all parties before the hearing. Any such material must be submitted to the Clerk no later than five calendar days before the meeting.

2.4 The complainant may make his representations to the Committee in person, accompanied by a friend if he so wishes.

2.5 The Headmaster shall be entitled to attend any meeting of the Committee at which a complaint is considered and may be accompanied by a friend, who shall not be a member of the Governing Body or any of its committees, if he so wishes.

2.6 The Committee may agree to either the Complainant or the Headmaster calling witnesses, in which case the Clerk should normally be informed five calendar days before the meeting.

2.7 Where the complainant chooses to attend in person, the usual order of proceedings shall be as follows:

- a. the Chairman of the Committee will welcome the complainant and any friend, introduce those present and explain the procedure to be followed;
- b. the complainant may be questioned by the Committee and by the Headmaster;
- c. the Headmaster may make a statement to the Committee regarding the matter of the complaint and may be questioned by the Committee or by the complainant through the Chairman;
- d. the complainant may summarise the complaint;
- e. the Headmaster may summarise his position; and
- f. the Headmaster, the complainant and any friend accompanying the Headmaster or the complainant will be asked to withdraw while the Committee considers the matter.

2.8 The Committee may:

- a. decide to reject the complaint;
- b. decide to uphold the complaint;
- c. decide on the appropriate action to be taken to resolve the complaint; or
- d. recommend changes to the school's systems or procedures to ensure that problems
- e. of a similar nature do not recur.
- f. investigate the complaint further.

2.9 The Clerk shall inform the complainant and the Headmaster in writing within five calendar days:

- a. of the decisions reached by the Committee and the reasons for the decisions; and
- b. if the complaint was upheld, of any action taken or proposed, including details of any request to those complained against to take particular actions to resolve the complaint.
- c. Where under paragraph 2.8.f) the Committee decides to investigate the complaint further, the Clerk shall inform the complainant of the steps to be taken and of the progress made. Any subsequent meeting of the Committee shall be subject to the provisions described above in so far as they are relevant.

2.10 The Committee shall have conduct of its own proceedings and, subject to this policy, may take any decisions in order to facilitate the expeditious hearing of complaints, including giving directions on

the evidence required, the adjournment of hearings or altering of time limits where it believe it necessary to do so.

- 2.11 Pupils attending the School will be called to give oral evidence only in exceptional circumstances and entirely at the discretion of the Committee. Where it is considered appropriate or in the best interests of pupils, names of pupils may be withheld in reports, documents and oral evidence.
- 2.12 The Committee will make findings and recommendations and send a copy of these and the Minutes of the Hearing to the complainant and where relevant to the person being complained about. The Committee will ensure that such documentation is available for inspection on the School premises by the Academy and the Headmaster.
- 2.13 Advice about these arrangements may be obtained from the Headmaster or the Clerk to the Governing Body.
- 2.14 Appeals against a decision of the Governing Body committee should refer to the ESFA document “How the ESFA handles complaints about academies”.
- 2.15 The Committee will provide for a written record to be kept of all complaints that are made in accordance with the parent not being satisfied with the informal response.
- 2.16 The Committee will provide that correspondence, statements and records relating to individual complaints will 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.

This policy should be read in conjunction with all other policies and not as a stand- alone policy.

In establishing, implementing and assessing this policy, the School will have regard to its duty, as a public authority and within its ethos, to advance equality of opportunity and eliminate discrimination. The Governing Body will review the impact of this policy on staff and pupils with protected characteristics as part of its regular assessment of its public equality duty.

