

Highfield Brookham

Complaints Procedure Inclusive of the EYFS

Introduction

Highfield and Brookham School has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents, staff or children do have a complaint, they can expect it to be treated by the School in accordance with this procedure. Copies of this Procedure are available from the school office; a copy is on the board outside the pre-prep, there is a copy of this Procedure on the Head's Notice Board at Highfield. This Procedure is drawn up with reference to the Early Years Foundation Stage requirements and the Independent School's Standards and Regulations. It is in everyone's interest that any issues are resolved at the earliest possible stage.

The following are exempt from this Complaints Policy, because they are covered by separate procedures.

- Admissions
- Safeguarding matters or matters likely to require Child Protection Investigation
- School re-organisation proposals
- Statutory assessments of Special educational needs (SEN)
- Exclusion
- Whistleblowing

AIMS

When responding to complaints the school aims:

- to be impartial and non-adversarial
- to facilitate a full and fair investigation by an independent panel if necessary
- to address all the points at issue and provide an effective and prompt response
- to respect complainants' desire for confidentiality
- to treat complaints with respect
- to keep complainants informed of the progress of the complaints process
- to consider how the complaint can feed into school improvement evaluation processes

PRINCIPLES FOR INVESTIGATION

When investigating a complaint, the main principles are to clarify;

- what has happened
- who was involved
- what the complainant feels would put things right

Stage 1 – Informal Resolution

The school will take informal concerns and complaints seriously. It is hoped and expected that where a parent seeks reassurance, intervention, reconsideration or some other action to be taken. Every effort is made to resolve the matter quickly. It may be the case that the provision or clarification or information will solve the issue.

- It is hoped that most complaints and concerns will be resolved quickly and informally.
- If parents have a complaint they should normally contact their son/daughter's Form Teacher. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Form Teacher cannot resolve the matter alone, it may be necessary for him/her to consult the Deputy Head Pastoral or Head of the Pre-Prep.
- Complaints made directly to the Deputy Head Pastoral or Pre-Prep Head will usually be referred to the relevant Form Teacher unless the Deputy Head Pastoral or Pre-Prep Head deems it appropriate for him/her to deal with the matter personally.
- The Form Teacher 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 two working days or in the event that the Form Teacher 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.

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 Head. The nature of the complaint must be stated as clearly and precisely as possible, with supporting evidence; it must contain a statement as what actions parents have already taken to resolve the matter; and it must include a statement of what actions parents feel might resolve the complaint. The Head will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Head will meet the parents concerned, normally within two 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 Head to carry out further investigations.
- The Head will keep written records of all meetings and interviews held in relation to the complaint and keep records of any actions taken by the school and at which stage of the procedure the complaint has been resolved.
- Once the Head 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 Head will also give reasons for his/her decision. Records of complaints relating to the EYFS setting will be investigated and complainants notified of the outcome within 28 days. The record of complaints will be made available to ISI on request.
- 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 will be referred to Mr William Mills, the School's proprietor, who will organise a Panel to consider the complaint.
- The Panel will consist of *at least three persons not directly involved in the matters detailed in the complaint*, one of whom shall be independent of the management and running of the school (see Appendix 1). Each of the Panel members shall be appointed by Mr Mills. On behalf of the Panel, Mr Mills will then acknowledge the complaint and schedule a Hearing to take place as soon as practicable and normally within 7 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. Copies of such particulars shall be supplied to all parties not later than 3 days prior to the hearing.
- The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation is of course allowed but will not normally be necessary. Where a parent wishes to bring legal representation the school will need a week's prior notice of this.
- If possible, the Panel will resolve the parents' complaint immediately 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 reach a decision and may make recommendations, which it shall complete within 2 days of the Hearing. The Panel will write to the parents informing them of its decision and the reasons for it. The Panel's findings and, if any, recommendations will be sent in writing to the parents, the Head, the Directors and, where relevant, the person complained of. Records of the outcomes and of any action taken by the Panel will be kept in school for all relevant parties including the Head and proprietor to see whether they are upheld or not.

RECORDS

A record of all complaints and their outcome which do not have safeguarding implications will be kept by Highfield and Brookham for not less than seven years, whether they are resolved at the informal stage, formal stage or proceed to a panel hearing and any action taken by Highfield and Brookham as a result of the complaint (regardless of whether the complaint is upheld).

At Highfield and Brookham's discretion, additional records may be kept which may contain the following information.

- Date and time when the issue was raised
- Name of the complainant
- Name of the pupil
- Description of the issue
- The desired outcome of the complainant
- How the complaint was investigated (including written records of interviews held)
- 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, records of phone conversations and minutes of any meetings)

- Results and conclusions of investigations.
- Any action taken
- The complainant's response (satisfaction of further pursuit of complaint)

Unreasonable Complaints and serial persistent complainants

Highfield and Brookham is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will act to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The school defines serial and unreasonable complainants as 'those who, because of the frequency

or nature of their contacts with the school, hinder our consideration of their or other peoples' complaints'. Repeated attempts made by a parent to raise the same complaint after it has been considered at all three stages, will also be regarded as vexatious and outside the scope of this policy.

A complaint may be regarded as unreasonable when the person making the complaint:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to cooperate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;

- using falsified information;
- publishing unacceptable information about the school on social media websites/in newspapers or any other format.

Complainants should limit the numbers of communications with the school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, telephone, email or text) as it could delay the outcome being reached.

Whenever possible the Head will discuss any concerns with the complainant informally before applying an 'unreasonable' judgement. If the behaviour continues the Head will write to the complainant explaining that his/her behaviour is unreasonable and asking him/her to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the School or removing a pupil from the school roll.

CONFIDENTIALITY

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 Part 7, 8.1(k) of 'The Education (Independent School Standards) Regulations' 2019 where disclosure is required during the school's inspection; or where any other legal obligation prevails. The Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them. Records relating to the complaint will be kept for a period of 3 years in line with the EYFS Statutory Guidance. (The complaints procedure is published on the school's website)

LEGISLATION AND GUIDANCE This Policy bears due regard to the following statutory guidance and other advice. DfE Guidance 'The Independent School Standards' (April 2019) DfE Statutory framework for the early years foundation stage (September 2021) The Education (Independent School Standards) Regulations (2014)

There was one formal Stage 3 complaint in the academic year 2022-2023

There was one formal Stage 3 complaint in the academic year 2024-2025 TBC

Contact Details:

Head: Mrs. Suzannah Cryer
 Telephone Number: 01428 728000
 Email: head@highfieldandbrookham.co.uk

Proprietor: Mr. William Mills.
 Telephone: 01428 728000
 Email: bill@explorelearning.co.uk

These contact details are secure both in term time and during school holidays.

In the case of wishing to complain to the Independent School's Inspectorate who conduct regular inspections of the school the contact details are as follows.

The Independent Schools Inspectorate
Telephone Number 0207 600 0100
Cap House
9-12 Long Lane
London EC1A 9HA

Boarding parents may contact the National Standards Care Commission in the event that they have any concerns relating to their child's welfare.

Telephone Number 0207 2104850

WM/SC
Reviewed August 2023
Next Review Date August 2024
Reviewed August 2024
Reviewed August 2025
Reviewed August 2025

Next Review Date: August 2026

Complaints Procedure – Independent Member of the Panel

The following guidance comes from a letter sent by the DfES to the ISC General Secretary in 2002. Although dated, the advice is extant:

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, heads 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.