

Berkhampstead School Complaints Procedure

Introduction

The School has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a complaint, they expect it to be treated by the School in accordance with this 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 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 his/her Head of Department or the Headmaster.
- Complaints made directly to the Headmaster will usually be referred to the relevant teacher or Head of Department unless the Headmaster deems it appropriate for him to deal with the matter personally.
- The teacher concerned 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 3 days or in the event that the teacher concerned or the Head of Department and the parent **fail to reach a satisfactory resolution then the 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 Headmaster. The Headmaster will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Headmaster will speak to the parents concerned, normally **within 2 working 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 Headmaster to carry out further investigations. • The Headmaster will **keep written records** of all meetings and interviews held in relation to the complaint.
- Once the Headmaster 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 Headmaster will also give reasons for his 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 will be referred to the Chairman of Governors, 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 at least **3 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. Each of the Panel members shall be appointed by the Governors.** The Chairman of Governors, on behalf of the Panel will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally **within 5 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 2 working 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 will not normally be appropriate.
 - 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 3 working days of the Hearing. The Panel will write to the parents informing them of its decisions and the reasons for it. The decision of the Panel will be final. The Panel's findings and, if any, recommendations will be sent in writing to the parents, the Headmaster, the Governors and, where relevant, the person complained of.
- Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except in so far as is required of the school by paragraph 6(2)(j) of the Education (Independent Schools Standards) Regulations 2003; where disclosure is required in the course of the school's inspection; or where any other legal obligation prevails.

Appendix: Complaints Procedure – Independent Member of the Panel

The DfES 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, 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.