



Lichfield Cathedral School
**COMPLAINTS POLICY AND PROCEDURES FOR
PARENTS AND CARERS**

1. INTRODUCTION

Lichfield Cathedral School (LCS) is committed to offering education, pastoral care and a student experience of the highest quality. We place pupils' welfare and a good experience of LCS at the top of our list of priorities. We welcome comments from parents/carers about the quality of the services we provide.

If you are not happy with any aspect of the school, or about your contact with us, we need to know so that we can take steps to make improvements. We hope that the majority of concerns or complaints can be resolved through friendly and informal discussions without the need to resort to formal procedures.

In the event of a concern or complaint, we aim to:

- ensure the issue is fully and fairly investigated;
- respect confidentiality at all times;
- address all the points at issue and provide an effective and timely response and appropriate redress, where necessary;
- adhere to the terms of this policy.

Parents and pupils should never feel that making a complaint will adversely affect a pupil or his / her opportunities at the School. Where necessary, we will review our systems and procedures in light of the circumstances of a concern or complaint. The Governing Body will review complaints received on a regular basis.

2. CONCERN OR COMPLAINT?

A "concern" may be defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought".

A complaint may be generally defined as "an expression of dissatisfaction, however, made, about actions taken or a lack of action".

Concerns should be addressed in the first instance to the relevant teacher or form tutor or to an appropriate member of the Leadership Team (e.g. Headteacher or Head of Junior or Middle School, Head of Sixth Form, or Head of Subject or Bursar). Wherever possible, the concern should be raised in person, or by telephone or email, with the appropriate member of staff.

Complaints, which are usually considered more formal or serious, should be made in writing to the appropriate member of the Leadership Team.

Although a concern/complaint may have been addressed/sent to the Headteacher, s/he will generally pass this on to the most appropriate member of staff to deal with. The parent will be notified by email or letter that the concern/complaint has been forwarded in this way. It is important that the Headteacher remains at a distance, so that, if the concern/complaint is referred to Stage 2, s/he is able to investigate with impartiality.

3. MANAGEMENT OF CONCERNS OR COMPLAINTS

The School's complaints procedure has three stages:

Stage 1: raising a concern/complaint with a member of staff orally or in writing.

Stage 2: a formal complaint in writing to the Headteacher.

Stage 3: reference to the Complaints Panel Hearing.

Further details of these stages are set out below.

Separate procedures apply in the event of a child protection issue, or if the Headteacher expels or requires the removal of a pupil from the School and the parents seek a review of that decision. See policies on the LCS website.

Further provisions in relation to this Policy are set out in a section at the end of this document and are also part of this policy.

4. RECORD KEEPING AND CONFIDENTIALITY

A note of any concern/complaint at Stage 1 (and how this has been resolved) will be kept.

A written record will be kept of all formal complaints, and of whether they were resolved at Stage 2 or proceeded to a Complaints Panel Hearing, including the action taken by the School as a result of the complaints (regardless of whether they are upheld). [The number of formal complaints registered during the preceding school year is posted on the School's website.]

All correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested by the Secretary of State or where disclosure is required in the course of an inspection or under other legal authority.

In accordance with data protection principles, details of individual complaints will be kept only for as long as is considered to be reasonably necessary in the circumstances.

5. COMPLAINTS TO OFSTED AND THE INDEPENDENT SCHOOLS INSPECTORATE

Ofsted can be contacted on 0300 123 4666 or at enquiries@ofsted.gov.uk.

ISI can be contacted at concerns@isi.net or on 020 7600 0100.

Complaints or concerns of a child protection nature can also be referred to the LADO (Local Authority Designated Officer) on 01785 278958.

Please note: It is hoped that any complaint can be dealt with internally through this procedure. If contacted, ISI/Ofsted will always ask whether the school has been contacted first, and they will expect the School's own procedure to have been invoked prior to being contacted by parents/carers.

6. STAGES IN THE COMPLAINTS PROCEDURE

Stage 1 - dealing with concerns and difficulties

A concern/complaint raised at Stage 1 will be deemed to be informal.

We expect that most concerns or complaints can be resolved informally, and we encourage you to speak to the appropriate member of staff in the first instance. For example, dissatisfaction about some aspect of teaching, pastoral care or a billing error should be able to be resolved by the appropriate member of staff.

Concerns and complaints should initially be raised as follows:

- (i) *Academic issues*: subject-specific matters or those relating to special education needs should be addressed to the relevant class teacher or Head of Department. The complaint may be passed to a more senior member of staff if appropriate. Issues relating to the curriculum provision should be directed to the Deputy Head.
- (ii) *Pastoral care and educational matters*: for concerns or complaints relating to general educational matters, including welfare issues, extracurricular provision and individual progress, please speak or write to the relevant classroom teacher or Head of Phase (Junior or EYSF; Years 7-9; Years 10-11; Sixth Form) or Head of Curriculum Area. The complaint may be passed to a more senior member of staff if appropriate, or you may ask for it to be considered by a relevant more senior member of staff.
- (iii) *Disciplinary matters*: a problem over any disciplinary action taken or a sanction imposed should be raised first of all with the member of staff who imposed it and then the Head of Phase. The complaint may be passed to a more senior member of staff if appropriate, or you may ask for it to be considered by a relevant more senior member of staff.
- (iv) *Financial matters*: a query relating to fees or extras should be addressed in writing to the Bursar.

A complaint against the Headteacher (in her/his role as Headteacher) should be put in writing to the Chairman of Governors who will follow the procedure set out in **Stage 2**.

An informal complaint provided in writing will be acknowledged by telephone, email or letter within two working days of receipt during term time and as soon as practicable during the holidays. A matter raised orally will not necessarily be acknowledged in writing but a record of the matter will be made.

A complaint which has not been resolved by informal means to the parent's satisfaction within 15 working days should be notified in writing as a formal **Stage 2** complaint using the procedure set out in the section below; otherwise the concern/complaint is deemed to have been resolved.

For a Stage 1 *complaint*, any telephone conversation of an outcome will be followed by a brief written communication (email or letter) confirming the outcome.

Stage 2 - formal complaint

(i) Making a Formal Complaint

If a parent/carer is dissatisfied with the response to the complaint under Stage 1, or the complaint requires investigation or involves dissatisfaction with some aspect of the School's policies or management, the complaint should be made under Stage 2.

The full details of the complaint should be set out in writing and sent with all relevant documents and full contact details to the Headteacher.

The complaint will be acknowledged by email or letter within three working days during term time, and as soon as practicable during the holidays, indicating the action that is being taken and the likely time scale.

If a written acknowledgement is not possible for any reason, a telephone acknowledgement will be made and a note of the conversation will be held on file, including the date/time of the conversation.

(ii) Investigation

The Headteacher will ask a senior member of staff to act as Investigator and may involve one or more Governors (if appropriate). The Investigator(s) may request additional information from you and may wish to speak to you personally and to others who have knowledge of the circumstances. Written records will be kept of all meetings and interviews held in relation to the complaint. The Investigator(s) will prepare a report on the investigation which will be considered by the Headteacher.

(iii) Decision

The Head will then notify the complainant by email or letter of the Stage 2 decision and the reasons for it within 10 working days from the receipt of the formal complaint. Where there are exceptional circumstances resulting in a delay, the parents will be notified of this and informed of the new timescales as soon as possible.

Please note that any complaint received within one month of the end of a term or half-term is likely to take longer to resolve owing to school holidays and to the (possible) lack of availability of key personnel required for the investigation to be undertaken properly.

If a parent is dissatisfied with the Headteacher's decision, the parent can request within 15 working days of receiving this decision that the complaint be referred to the Complaints Panel under **Stage 3** using the procedure set out below; otherwise the complaint is deemed to have been resolved.

Stage 3 - Complaints Panel

A Complaints Panel Hearing (Hearing) is a review of the decisions taken at Stage 2 by the Headteacher (or in circumstances where the formal complaint concerns the Head, the Chair of Governors appointed to act in the Head's place). The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.

The role of the Complaints Panel is to establish the facts surrounding the complaints that have been made by considering:

- any representations made by the parents/carers and the Headteacher
- the documents provided by both parties

and to reach a decision, *on the balance of probabilities*, as to whether each complaint is upheld in whole or in part.

It is not within the powers of the Complaints Panel to make any financial award, nor to impose sanctions on staff, pupils or parents. The Complaints Panel may make recommendations to the School on these matters or any other issues as appropriate.

Requesting a Stage 3 Hearing

A request for a Hearing must be put **in writing** via a formal signed letter to the Clerk to the Governors and will usually only be considered if the procedures at Stages 1 and 2 have been completed.

The written request should include:

- a copy of all relevant documents and full contact details;
- details of all the grounds of the complaint [*see note below*] and the outcome desired;
- a list of the documents which the parents/carers believe to be in the School's possession and wish the Complaints Panel to see; and
- whether you propose to be accompanied to the hearing by someone who is legally qualified (see paragraph below marked *).
- If assistance with the request is required, for example because of a disability, please inform the Clerk to the Governors of this issue, who will then make appropriate arrangements.
- The Clerk to the Governors will acknowledge the request for a Hearing in writing within three working days of receipt during term time and as soon as practicable during the holidays.
- Every effort will be made to enable the Hearing to take place within 15 working days of receipt of the request. However, parents should note that the Complaints Panel will not normally sit during Half-Terms or school holidays.

[Note: It is critically important that the grounds and basis of the referral to Stage 3 are stated with absolute clarity and without any ambiguity. The grounds for referral should normally relate to factual inaccuracies or procedural errors/irregularities at Stage 2, and should not be based on a disagreement with the outcome of the investigation at Stage 2. The School will require any ambiguity or absence of clarity to be rectified before the Panel is convened. This is to ensure that the Panel has absolute clarity about the reason it has been convened.]

Planning the Hearing

As soon as reasonably practicable, and in any event at least ten working days before the Hearing, the Clerk to the Governors will send written notification to each party of the date, time and place of the hearing, inviting all parties to attend. Every effort will be made to find a convenient date/time for all parties.

The Panel will proceed without the complainants if they choose of their own volition not to attend.

*NB You may be accompanied to the Hearing by another person, for example a relative or friend. The Hearing is not legal proceedings and so legal representation is not necessary. If you do wish to be accompanied by someone who is legally qualified, you should have notified the Clerk to the Governors of this in your initial request for a Hearing. If you did not do so and subsequently wish to be accompanied by a legally qualified person, you must inform the Clerk to the Governors of this at least five working days prior to the Hearing and the parents should note that the Complaints Panel will wish to speak to the parents directly. This person will not be permitted to act as an advocate or to address the Hearing unless invited to do so by the Chair of the Panel.

Copies of any additional documents you wish the Complaints Panel to consider should be sent to the Clerk to the Governors to be received at least five working days prior to the Hearing.

The Clerk to the Governors will circulate a copy of the bundle of documents to be considered by the Complaints Panel to all parties at least three working days prior to the Hearing.

Composition of the Complaints Panel

The Complaints Panel will normally comprise three individuals who have no detailed prior knowledge of the circumstances of the complaint, including at least one independent member who has no connection with the governance, management or running of the School.

The parents/carers may ask the Clerk to the Governors to inform them who has been appointed to sit on the Complaints Panel ahead of the Hearing.

The Complaints Panel members will appoint one of their number to be the Chair of the Panel throughout the proceedings. The Chair will normally be the independent member of the Panel, unless there is a good reason to appoint one of the two other members.

The Hearing

The Hearing will be conducted in an informal manner.

The parties will have the opportunity to ask questions and make comments in an appropriate manner. The Hearing is not a legal proceeding and the Complaints Panel shall be under no obligation to hear oral evidence from witnesses but may do so and / or may take written statements into account.

All statements made at the Hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes. A clerk appointed by the Complaints Panel will take minutes of the proceedings.

All those attending the Hearing are expected to show courtesy, restraint and good manners or, after due warning, the Hearing may be adjourned or terminated at the discretion of the Chair. Any person who is dissatisfied with any aspect of the way the Hearing is conducted must say so before the proceedings go any further and his / her comment will be minuted.

The Chair may, at his / her discretion, adjourn the Hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.

A Hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be made available by any of the parties present directly or indirectly to the press or other media (including social media).

When the Chair of the Panel considers that all the issues have been sufficiently discussed, he / she will conclude the Hearing.

The Decision

The Complaints Panel will reach a decision on the balance of probabilities.

The decision, findings and any recommendations will be confirmed in writing to the complainant and, where relevant, the person complained about, within five working days of the Hearing. The decisions, findings and any recommendations will also be available for inspection on the School premises by the Governing Body and the Headteacher.

The completion of Stage 3 represents the conclusion of the School's Complaints Procedure, and no further appeal is possible.

7. FURTHER PROVISIONS

7.1 Payment of Fees

Parents/carers must not delay or withhold the payment of school fees and/or extras pending the outcome of a complaint. The School reserves the right to suspend the Complaints Procedure (at whichever stage has been reached) in the event that parents defer or withhold such payments that are due to the School.

7.2 Headteacher's ability to invoke Stage 3

With the approval of the Chair of Governors, the Headteacher (having concluded Stage 2 of the Procedure) can invoke a Stage 3 Hearing in the circumstances where:

- (i) there is an ongoing dispute with the complainant(s) about the outcome of Stage 2;
- (ii) the Headteacher seeks to refer the complaint to a further stage of objective scrutiny, especially where the complainants are dissatisfied with the role of the Headteacher during Stage 2;
- (iii) there is some urgency in bringing a complaint to a conclusion (e.g. where a student is due to leave the School in the near future).

7.3 Complaints about a Governor

Where a complaint is made about a governor, the matter will be investigated under Stage 2 by another governor appointed by the Chair for this purpose. A complaint about the Chair will be managed by the Vice Chair.

7.4 Complaints about Early Years Foundation Stage (EYFS)

A written complaint by a parent about the fulfilment of the EYFS statutory requirements will be investigated by the Headteacher, and the complainant will be notified of the outcome of the investigation within 28 days.

The School will provide Ofsted/ISI, on request, with a written record of all complaints about EYFS 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 3 years.

Parents may complain directly to Ofsted or to ISI if they believe the provider is not meeting the EYFS requirements. See Section 5 of this Policy for the contact details.

7.5 Alternative Dispute Resolution (ADR)

The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015 require the School to provide a parent on conclusion of the Stage 3 of the School's Complaints Procedure with the name and address of an alternative dispute resolution provider who has been certified by the Chartered Trading Standards Institute as competent to resolve consumer disputes. However, the School is not obliged to enter into alternative dispute resolution, and may choose not to do so.

7.6 Complaints by members of the Sixth Form (over 18 years of age)

The School recognises that students in the Sixth Form who have attained the age of 18 are recognised in law as having all the rights of adults. Accordingly, this Policy recognises the right of students over the age of 18 to make a concern/complaint under the procedures outlined above. If such a concern/complaint is made, the School will expect the student to inform her/his parent/carer, and reserves the right to contact the parent(s)/carer(s) with a view to securing a swift resolution to the concern/complaint to everyone's satisfaction.

7.7 General Considerations

Lichfield Cathedral School is a private place. The public has no automatic right of entry. The School will therefore act to ensure that it remains a safe place for pupils, staff and other members of the community. All members of the School community are asked to conduct themselves in a courteous and dignified manner at all times.

The School will monitor complaints and seek to identify any patterns or trends in the causes of complaints. The Complaints File will be kept in the Headteacher's Office and will be reviewed by the Deputy Head twice termly. The Governing Body will review complaints on an annual basis.

This Policy has been drafted in accordance with Part 7 of the Education (Independent School Standards) Regulations 2014, and is made available to parents/carers of pupils and parents/carers of prospective pupils on the School's website and is available in hard copy from the Headteacher's PA.

This Policy has also made use of the DfE document, Best Practice for School Complaints Procedures 2016.

This Policy will be reviewed by the Governing Body every year at a Governors' meeting in the Michaelmas Term.

This Policy was approved by the Governing Body of Lichfield Cathedral School on 24th November 2017.