



# NEWCASTLE UNDER LYME SCHOOL

## Complaints Policy

This policy applies to the whole School including EYFS. This document is published to parents and prospective parents on the School's website and is made available upon request to parents and prospective parents.

### Introduction

Newcastle-under-Lyme School, including the Early Years Foundation Stage, seeks to do the best for all children in its care in full co-operation with parents. We aim to provide the quality of teaching, pastoral care and personal development for each individual child which should be expected by parents. We aim to be open and accessible to all members of the School and its wider community and to establish easy and trustworthy means of communication at all levels. Within this context we would hope to resolve all concerns raised through constructive partnership. This procedure aims to:

1. Encourage the resolution of problems within the School community by informal means wherever possible.
2. Encourage parents to know that the School takes concerns and complaints seriously.
3. Ensure that concerns are dealt with quickly, fully and fairly within clearly defined limits.
4. Provide effective responses and appropriate redress.
5. Maintain good working relationships between all members of the School community.

Occasionally parents (of students currently at the School and if the complaint was initially raised when the pupil was still registered at School and, at the School's discretion, the parents of a child who has recently left the School) may wish to make a complaint, and this will be dealt with by the School in accordance with the following Complaints Procedure, which forms part of the School's system for quality control. These procedures apply to all current registered pupils of Newcastle-under-Lyme School. These procedures do not apply to parents of prospective pupils.

Where appropriate the outcome of a complaint may be used to facilitate improvements in the service and facilities provided to members of the School community. Any matter about which a parent of a pupil is unhappy and seeks action by the School is seen as a complaint, and is covered by these procedures. We recognise that, from time to time, it may be necessary for parents to raise a concern or complaint. Our aim is to resolve all parental concerns quickly and informally. The purpose of this policy is to set out the manner in which parental concerns and complaints are dealt with at Newcastle-under-Lyme School.

Any complaints that include allegations of possible child abuse should be made direct to the appropriate Designated Senior Person, Mrs Julie Simms for the Senior School, Mrs Kathryn Thomson for the Preparatory School and Mrs Emma Taylor for the Nursery. Please refer to the Safeguarding and Child Protection section of the School website for further information, including contact details.

In the event of a parental appeal against a decision by the Headmaster permanently to exclude a child, the Governors will adopt the third stage procedure outlined below. For 'complaint' the word 'appeal' may be substituted.

In all cases Head refers to the Head of the relevant section of the School (Senior School: Headmaster, Junior School: Head of Preparatory School).

### **Stage 1: Raising Concerns (Informal Resolution Stage)**

It is hoped that most concerns and complaints will be resolved quickly and informally between the parties concerned without recourse to any of the following procedures.

If a parent is worried about something or wants to express a concern or complaint, the first stage is normally to start by going to the person most closely connected with it, such as the student's Form Tutor or Class Teacher. If it's a problem with a subject, the starting point is the subject teacher. Teachers can be busy and hard to reach by phone during the school day, but parents can leave a phone message or send an email asking the Form Tutor or Class Teacher to call them back. In the Nursery, the first point of contact should be with the Key Worker.

Parents and students are able to talk about and raise concerns with any member of staff. The member of staff contacted by the parent will respond promptly usually within one working day during term-time, referring the concern to the most appropriate person, and if they cannot solve the difficulty straight away will say how long they need and will give an indication of when they will be back in touch. Although it is often easiest for parents to write, the School's preferred approach is to sort things out rapidly, within ten (term-time) School working days where possible, and informally either face to face or by phone. Concerns or complaints dealt with in this informal manner are not regarded as formal complaints and are not logged as such. Although safeguarding matters are always logged and a record kept, other records are kept only where this helps to identify patterns of concern or complaint and may be kept within pupil files.

The procedure for raising concerns or complaints is as follows:

- In the first instance, parents should make direct contact and discuss their concern with their son or daughter's Class Teacher (Prep School) or Form Tutor (Senior School) or Key Worker (Nursery). Alternatively, it may be appropriate to contact a subject teacher directly. The School Office will be able to assist you in contacting the appropriate person. Parents should be as clear as possible about what is troubling them and their child.
- In the Senior School, if this initial contact cannot resolve the matter, parents should discuss their concern with the Head of Year or (for subject-related matters), Head of Key Stage or the relevant Head of Department.

- In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the teacher or Key Worker cannot resolve the matter alone, it may be necessary for him/her to consult the Deputy Head (Pastoral), or Deputy Head (Academic), in the Senior School or the Head of Preparatory School, Head of Pre Prep or Nursery Manager in order to resolve the matter.
- Concerns that remain unresolved, or which are believed by parents to be particularly serious, should be addressed to one of the Deputy Heads (Senior School) or the Nursery Manager, the Head of the Preparatory School, or the Headmaster as appropriate.
- If a concern or complaint needs to be taken further and refers to a member of staff then it should be made to the Deputy Head (Academic), in respect to teaching and learning; the Deputy Head (Pastoral), for pastoral and discipline matters; the Bursar, for matters relating to support staff. With respect to the Preparatory School, if the complaint refers to a member of staff then it should be made to the Head of the Preparatory School, and with respect to the Nursery if the complaint refers to a member of staff it should be made to the Nursery Manager.
- If a concern or complaint needs to be taken further and refers to a member of the Senior Management Team then it should be made to the Headmaster. In the event of a complaint about the Head of the Preparatory School, it should be made in the first instance to the Headmaster. In this case, the Headmaster will investigate any issues relating to the Head of the Preparatory School.
- In the event of a concern or complaint about the Headmaster, he will inform the Chair of Governors who will decide upon the appropriate course of action to follow.
- A written record of all concerns received will be made, noting the date on which they were received and recording the outcome and any agreement reached. A copy will be lodged with the relevant Head. The complaint will be acknowledged.
- We undertake to respond to all parental concerns by this informal means within ten working (term-time) school days of receipt of the concern. Should the matter not be resolved within ten working days, or in the event that the School contact 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.
- Although all formal complaints under Stage 2 will 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. Complaints will usually only progress to the formal stage after first being considered at the Informal Resolution Stage and only then if the complainant intends to escalate a matter to the Formal Resolution Stage.

### **Stage 2: Written Complaint to the Headmaster (Formal Resolution Stage)**

If parents feel that the procedure above has not worked or is not suitable, or if they feel it is a matter of sufficient seriousness, (which may include safeguarding issues), they may choose to make a formal complaint. They should make it clear that it is a formal complaint that they want to be dealt

with under the Stage 2 Formal Resolution Procedures and it will be logged as such. The procedure for raising such complaints is as follows:

- If the concern has not been resolved at Stage 1, then parents should write to the Headmaster. The Headmaster will be responsible for deciding, after consideration of the complaint, the appropriate course of action. The Headmaster may delegate the investigation of the complaint to an appropriate senior member of staff.
- In the event of a complaint about the Headmaster he will forward a copy of the letter to the Chair of Governors who will decide, after considering the complaint, the appropriate course of action to take.
- Parents will be informed of the course of action to be taken.
- In response to a formal complaint, the Headmaster will make a written reply within ten School (term-time) days; if a stage two complaint is received within or close to the School holidays, the School will furnish a date by which it will provide its response.
- The Headmaster or appropriate senior member of staff acting for the Headmaster will aim to meet and speak with the parents concerned as soon as possible after receipt of the complaint, and in any case within the period of ten School [term-time) days. If possible, a resolution will be reached at this stage.
- It may be necessary for further investigations to be carried out under the direction of the Headmaster. Parents will be informed of its progress and when they can expect a decision. Where the timescale is likely to be exceeded, parents will be informed when they might expect the decision to be made. It is possible that the Headmaster or Head of Preparatory School may introduce a Governor to assist with the oversight of a particular complaint should it have circumstances that they feel would make this beneficial, for example, to utilise specialist knowledge or to add a further element of independent oversight and integrity. This will be at the discretion of the Headmaster or Head of Preparatory School.
- The School will keep written records of meetings and interviews held in relation to the complaint as is practical and appropriate. These will be provided to the Complaints Panel in the event of a Stage 3 Panel Hearing being invoked.
- 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 normally within the ten working (term-time) School days since notification of the complaint. The Headmaster will also give reasons for his decision. Where the timescale is likely to be exceeded, parents will be informed when they might expect the decision to be made.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

### **Stage 3: Formal Complaint to the Governors (Panel Hearing Stage)**

If parents are not satisfied with the Headmaster's response to a formal complaint, following a failure to reach an earlier resolution in Stage 2 they are invited to raise their complaint with the Governors. It is not possible to move to this stage without having written to and met with the Headmaster as laid down in Stage 2. Such appeals should be lodged as soon as is reasonable, and must be within five working School (term-time) days, following the Headmaster's response. Appeals should be made in writing to the Chair of Governors care of the Clerk to the Governors, setting out the matter which is subject to the appeal and the grounds for such appeal. The Governors entrust the management of the appeal to the Chair of Governors or such other governor that he or she may nominate. The procedure for raising such complaints is as follows:

- If parents are not satisfied with the decision of the Headmaster in Stage 2 then they should write to the Chair of Governors with a formal complaint within five working days of the receipt of their Stage 2 Complaint outcome. The Chair of Governors will then acknowledge the complaint and convene a Complaints Panel to hear the complaint as soon as practicable and within the outside limit of 28 working days for dealing with a formal complaint. Before this panel meets, parents will be asked to submit a full written statement of the complaint. No further submissions may be made at the hearing.
- The Complaints 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 and of its teaching bodies. There will be a majority of members of the Governing Body on the Complaints Panel. Each member of the Complaints Panel will be appointed by the Chair of Governors who, on behalf of the Complaints Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable within the 28 working school days limit.
- If the Complaints Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Before the Complaints Panel hearing, the Headmaster will provide a statement to the Complaints Panel setting out the circumstances of the complaint and the reasons for his response. The Headmaster will not discuss the case with the Complaints Panel beforehand. Copies of such particulars shall be supplied to all parties not later than three working school days prior to the hearing.
- Parents may attend the hearing if they wish. They may be accompanied to the hearing by one other person. This person may be a friend or relative, but may not act in a professional capacity at the hearing. The parent is regarded as the complainant. Parents must inform the Clerk and Chair of the details of the person they wish to accompany them to the hearing, if this is the case, at least five working days prior to the hearing.
- The parents, friend (if attending) will come before the Complaints Panel at the same time as the Headmaster. In the ordinary course of the Complaints Panel, the Headmaster will present his statement first and subject to any questions from the Complaints Panel will be followed by the parents' statement identifying the factors which are relied upon as the basis for the complaint. There will be the opportunity for clarification and discussion of the points raised by all present.

To provide a sound process the format for hearings centres on questions and dialogue being between the Panel and the Parents and between the Panel and the Headmaster/Staff members/Other parties present, rather than between the complainant and Headmaster/Staff members/Other parties.

- If possible, the Complaints Panel will resolve the Complaint immediately and without the need for further investigation. At the conclusion of the hearing, the Complaints Panel will discuss with the parents whether it is able to give a decision that day. If it is, all those present will leave the Complaints Panel to consider its decision alone. When the Complaints Panel is ready, all parties will return to the room and the decision will be announced together with the reasons for it.
- Where further investigation is required, the Complaints Panel will decide how it should be carried out. After due consideration of all facts that they consider relevant, the Complaints Panel will make findings and recommendations.
- The Complaints Panel will send a copy of its findings and recommendations by email, or alternatively hand a copy in person, to the complainant, the Headmaster, the Chair of Governors and (where relevant) to the person complained about, within five (term-time) working School days of making its findings and recommendations.
- Unless otherwise indicated, the hearing will take the form of a review of the Headmaster's response to the parental complaint. The Complaints Panel will decide whether, on the information provided before him, the Headmaster could reasonably have come to the decision he reached. If, however, information is placed before the Complaints Panel which was not placed before the Headmaster or the Complaints Panel considers ought to have been placed before the Headmaster, the Complaints Panel will consider whether such information would or should have affected his response and may take this into account in determining the appeal. The Complaints Panel will have the power to affirm, reverse or vary the decision of the Headmaster and may make recommendations.
- The decision of the Complaints Panel will be final.

**During 2022/2023, 0 (Zero) Stage 3 Complaints were managed by NULS**

### **Record Keeping**

- The School will retain (for at least three years) a written record of all concerns and complaints raised by parents at any stage of this procedure, together with the outcomes of those concerns and complaints. Concerns and complaints that are resolved informally at Stages 1 and 2 will be retained in pupil files and records as appropriate. Anonymous complaints are recorded on the register of complaints although cannot be acted on. The School is obliged to keep a written records of all complaints made in writing under the formal part of these procedures and such records record whether they are then resolved at that 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). The School chooses to also keep a record of informal complaints to enable patterns of concern to be monitored.

- The findings and recommendations from Stage 3 Complaints will be kept on the School premises and will be available for inspection only by the Chair of Governors and Headmaster. The copy of the findings and recommendations of the Complaints Panel will be kept in the Complaints File in the Headmaster’s Office. The Governors will receive a report of the outcome of each complaint referred to the Complaints Panel and monitor the effectiveness of the procedure and progress of any recommendations arising from the complaint as part of the School’s quality assurance procedures.
- Parents can be assured that all concerns and complaints will be treated seriously and confidentially within the School. Although knowledge of the complaint will be restricted to those who need to know about it we cannot entirely rule out the need to make third parties outside of the School aware of a complaint and possibly also the identity of those involved. This would only be likely to happen where, for example, a child’s safety was at risk or if it became necessary to refer matters to the police. Parents would be fully informed unless instructed otherwise by relevant agencies.
- The correspondence, statements and records relating to individual complaints and appeals will be kept confidential, except where disclosure is required by law, such as where the Secretary of State or a body conducting an inspection (ISI or Ofsted) under **Section 108 or 109 of the 2008 Act** requests access to them, or for legal proceedings. The School will make available upon request to the Independent Schools Inspectorate or to Ofsted a written record of all complaints made during any specified period and the action which was taken as a result of each complaint.

### **Early Years Foundation Stage (EYFS)**

This procedure also relates to complaints arising from the provision for the Early Years Foundation stage. In all cases in the event of complaints about the fulfilment of the EYFS requirements these will be investigated and the complainant notified of the outcome of the investigation within 28 days. The record of complaint will be made available to Ofsted and ISI on request. In all cases parents may also wish to complain to Ofsted ([enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)) (Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD, 0300 123 1231 or OFSTED Independent and Boarding Team, Department for Education, Mowden Hall, Staindrop Road, Darlington, DL3 9BG), or the Independent Schools’ Inspectorate ([concerns@isi.net](mailto:concerns@isi.net)) (Independent Schools’ Inspectorate, CAP house, 9-12 Long Lane, London, EC1A 9HA, 020 7600 0100 or 0370 000 2288) if they believe the School is not meeting the EYFS requirements.

Policy Reviewed by Headmaster:	August 2023
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Next review due:	September 2024