

Concerns and Complaints Policy

Independent Day and Boarding School for Boys and Girls

Royal Hospital School

January 2010

1 Introduction

- 1.1 **Circulation:** this policy is addressed to the Senior Management Team; to all members of the teaching and pastoral staff, including school medical staff and nursing staff; and, on request, to parents. A copy can be downloaded from the School's website.
- 1.2 **Policy status:** the policy has been approved by the Headmaster and the Governing Body of Royal Hospital School (**School**). It provides guidelines for handling concerns and complaints. It takes account of paragraph 7 of the Schedule to the Education (Independent School Standards) (England) Regulations 2003 and Standard 5 of the National Minimum Standards for Boarding Schools. The procedures set out below may be adapted as appropriate to meet the policy aims and circumstances of each case. Certain procedures can only be carried out during term time.
- 1.3 **Application:** separate procedures apply in the event of a child protection issue or if the Headmaster expels or asks a pupil to leave and the parents seek a Governors' Review of that decision.
- 1.4 **Parent/s / You** includes a current or prospective parent or legal guardian or education guardian, and may at our discretion include a parent whose child has recently left the School. Concerns and complaints directly from boarders are dealt with under a separate procedure, a copy of which is appended to this policy as Appendix 1 and included in the Pupils' Handbook.
- 1.5 **Four stages:** this policy describes a four stage procedure:
- **Stage 1:** informal raising of a concern or difficulty notified orally or in writing to a member of staff
 - **Stage 2:** a formal complaint in writing to the Headmaster
 - **Stage 3:** a renewed complaint in writing to the Chair of the Governing Body
 - **Stage 4:** a reference to the Complaints Panel
- 1.6 **Timescales:** We aim to resolve any complaints in a timely manner. Timescales for each stage are set out below in the relevant paragraphs.
- 1.7 Separate procedures apply if a pupil has been expelled or asked to leave or if a child protection issue has arisen.
- 1.8 **A concern about the safety of your child should be notified immediately to the person you believe is best placed to take urgent action and should be confirmed in writing to the Headmaster.**

2 Policy aim and statement

- 2.1 **Aim:** the aim of this policy is to ensure that a concern or complaint is managed sympathetically, efficiently and at the appropriate level, and resolved as soon as possible. Doing so is good practice, it is fair to those concerned and it helps to promote parents' and pupils' confidence in our ability to safeguard and promote welfare. We will try to resolve every concern or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing our systems and procedures in light of the circumstances.
- 2.2 **Policy statement:** we need to know as soon as possible if there is any cause for dissatisfaction. We recognise that a difficulty which is not resolved quickly and fairly can

soon become a cause of resentment, which would be damaging to relationships and also to our school culture. Parents and pupils should never feel - or be made to feel - that a complaint will be taken amiss or will adversely affect a pupil or his/her opportunities at this school. The policy however distinguishes between a concern or difficulty which can be resolved informally and a formal complaint which will require investigation.

3 Noting of a complaint

- 3.1 **Complaints Form:** every concern or complaint notified to a member of staff will be noted, together with the action taken, on a standard form. A sample of the form is attached to this policy in Appendix 2.

4 Stage 1: concerns and difficulties

- 4.1 **Concerns:** we expect that most concerns, where a parent or pupil seeks intervention, reconsideration or some other action to be taken, can be resolved informally. Examples might include a dissatisfaction about some aspect of teaching or pastoral care, or about allocation of privileges or responsibilities, or about a timetable clash or some other aspect of the School's systems or equipment, or a billing error.

- 4.2 **Notification:** please raise the concern initially as follows:

4.2.1 education issues - if the matter relates to the classroom, the curriculum or special educational needs, please speak or write to the relevant Head of Department, Housemaster/Housemistress or Head of Lower School, Middle School or Sixth Form as appropriate;

4.2.2 pastoral care - for concerns relating to matters outside the classroom or in the House, please speak or write to the Housemaster or Housemistress.

4.2.3 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, if not resolved, with the Housemaster/Housemistress.

4.2.4 financial matters - a query relating to fees or extras should be stated in writing to the Bursar;

4.2.5 welfare of boarders - parents and boarders can contact the regulatory authority Ofsted regarding any complaint concerning the welfare of a boarder although Ofsted expects complainants to go through the school's complaints procedure first. Details of how to contact Ofsted are given at the end of this procedure, see Appendix 3.

- 4.3 **Acknowledgement:** we will acknowledge a written notification by telephone, fax, e-mail or letter within two working days of receipt during term time and as soon as practicable in the holidays. A matter raised orally will not necessarily be acknowledged in writing but a Complaints Form will be completed, and a copy sent to the Headmaster.

- 4.4 **Unresolved concerns:** a concern which has not been resolved by informal means within 15 working days should be notified in writing as a formal complaint which will be dealt with in accordance with Stage 2 below.

5 Stage 2: formal complaint

- 5.1 **Notification:** an unresolved concern under Stage 1, or a complaint which needs investigation, or a dissatisfaction with some aspect of the School's policies, procedures, management or administration should be set out in writing with full details and sent with all

relevant documents and your full contact details in an envelope addressed to the Headmaster. Your complaint will be acknowledged by telephone or in writing within two working days during term time, indicating the action that is being taken and the likely time scale. A Complaints Form will be completed and sent to the Headmaster.

- 5.2 **Investigation:** the Headmaster may ask a senior member of staff to act as "investigator" and/or may involve one or more Governors. The investigator/s may request additional information from you and will probably wish to speak to you personally and to others who have knowledge of the circumstances. The outcome of the investigation will be reported to the Headmaster who will then notify you in writing of his decision and the reasons for it. Written records will be kept of all meetings and interviews held in relation to your complaint.
- 5.3 **Outcome:** The Headmaster's aim would be to inform any complainant of the outcome of an investigation and the resolution to the complaint within 28 calendar days from the receipt of the complaint. Please note that any complaint received within one month of the end of term or half term is likely to take longer to resolve owing to the presence of school holidays and the unavailability of personnel.

6 Stage 3: reference to the Chairman

- 6.1 **Notification:** if you are dissatisfied with the Headmaster's decision under Stage 2, your complaint may be renewed in writing to the Chairman of the Governing Body. You should write to the Chairman within 5 working days of receiving the Headmaster's decision. Your letter to the Chairman should give full details of your complaint and enclose all relevant documents and your full contact details. Your letter will normally be acknowledged by telephone or in writing within four working days during term time, indicating the action that is being taken and the likely time scale.
- 6.2 **Action by the Chairman:** the Chairman may arrange for your complaint to be investigated following procedures equivalent to those described in Stage 2 (above) or may move directly to Stage 4 and convene a Complaints Panel. When the Chairman is satisfied that he has established all the material facts and relevant policies, so far as is practicable, he will notify you in writing of his decision and the reasons for it. He will aim to provide a response within ten working days of receiving your letter. If you are not satisfied with the Chairman's decision you may ask for the complaint to be referred to the Complaints Panel, by writing to the Clerk to the Governors (see paragraph 7.6 below).

7 Stage 4: reference to the Complaints Panel

- 7.1 A Panel hearing is a review of the decisions taken by the Headmaster and the Chairman. The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.
- 7.2 **The role of the Panel:** the Panel's task is to establish the facts surrounding the complaints that have been made by considering:
- the documents provided by both parties; and
 - any representations made by you, the Headmaster or the Chairman.
- 7.3 If, after establishing the facts, the Panel consider that the complaint is made out, they will uphold the complaint. If the Panel consider that the complaint is not made out, they will dismiss the complaint. They will make these decisions on the balance of probabilities.

- 7.4 It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, pupils, or parents. The Panel may make recommendations on these or any other issues to the Headmaster or to the full body of Governors as appropriate.
- 7.5 **Composition:** we have constituted a Complaints Panel (**Panel**) comprising School Governor members and independent members who are independent of the governance, management and running of the School.
- 7.6 **Notification:** to request a hearing before the Complaints Panel please write to the Clerk to the Governors within five working days of the decision complained of. Your request will only be considered if you have completed the procedures at Stages 1-3. Please ensure that a copy of all relevant documents and your full contact details accompany your letter to the Clerk. Please state in your letter the outcome that you desire and all the grounds of your complaint. Please also send the Clerk a list of the documents which you believe to be in the School's possession and wish the Panel to see. The Clerk will acknowledge your request in writing within two working days.
- 7.7 **Convening the Panel:** the Clerk to the Governors will convene the Complaints Panel as soon as reasonably practicable but the Panel will not normally sit during half terms or school holidays. The Panel will consist of a minimum of three individuals who have no detailed prior knowledge of the circumstances of the complaint. One member of the Panel will be an independent member. You may ask the Clerk to tell you who has been appointed to sit on the Panel.
- 7.8 **Notice of hearing:** Every effort will be made to enable the Panel hearing to take place within 10 working days of the receipt of your request. As soon as reasonably practical and in any event, at least 5 working days before the hearing, the Clerk will send you written notification of the date, time and place of the hearing, together with brief details of the Panel members who will be present. The hearing will normally follow the procedure set out in Appendix 1.
- 7.9 **Attendance:** you will be asked to attend the hearing and may be accompanied by one other person such as a relative, teacher, or friend. It is not necessary for that person to be legally qualified but if you do wish to be accompanied by a legally qualified person, acting in their professional capacity, please notify the School at least seven days before the hearing. Your child aged 13+ may attend part or all of the hearing at the discretion of the Chairman. Copies of additional documents you wish the Panel to consider should be sent to the Clerk at least three clear days prior to the hearing.
- 7.10 **Chairman:** the hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in an informal manner.
- 7.11 **Hearing:** 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. The Clerk will be asked to take a handwritten minute of the proceedings.
- 7.12 **Evidence:** the Chairman will conduct the hearing in such a way as to ensure that all those present have the opportunity of asking questions and making comments in an appropriate manner. The hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.
- 7.13 **Conduct:** 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 Chairman. If terminated, the original decision will stand. 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.

- 7.14 **Adjournment:** the Chairman may, at his/her discretion, adjourn the hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.
- 7.15 **Decision:** after due consideration of the matters discussed at the hearing, the Panel shall reach a decision unless there is an agreed position. The Panel's decision, findings and any recommendations may be notified orally at the hearing or subsequently and shall be confirmed in writing to you by electronic mail where appropriate within seven working days. If you do not wish to receive the decision by electronic mail, a copy will be given or posted to you. The decisions, findings and any recommendations will be made available for inspection on the school premises by the Governing Body and the Headmaster. Reasons for the Decision will be given. The Decision may include recommendations and will be sent to you, the Chairman of the Governing Body, the Headmaster and, where relevant, any person about whom the complaint has been made.
- 7.16 **Private proceeding:** 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 directly or indirectly to the press or other media.
- 7.17 **Confidentiality:** A written record will be kept of all complaints, and of whether they are resolved at Stage 1 or proceed to a panel hearing. The number of complaints registered under the formal procedure during the preceding school year will be supplied to parents on request. Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required by paragraph 7 (k) of the Schedule to the Education (Independent School Standards) (England) Regulations 2003, that is where access is requested by the Secretary of State or where disclosure is required in the course of a school's inspection or under other legal authority. In accordance with data protection principles, details of individual complaints will normally be destroyed following each school inspection. In exceptional circumstances some details will be retained for a further period as necessary.

Authorised by	Resolution of the Board of Governors
Date	20 January 2010

Effective date of the policy	20 January 2010
Circulation	Governors / teaching staff / all staff / parents / pupils on request Published on the School's website
Status	Complies with schedule, paragraph 7 of the Education (Independent Schools Standards) (England) Regulations 2003 and Standard 5 of the National Minimum Standards for Boarding Schools

Appendix 1

What to do if you have a worry or complaint

A guide for pupils

Introduction

Here at Royal Hospital School, we want everyone to feel part of a safe and happy community. From time to time, you may be worried or upset about something. This Guide tells you about various people available to help you, so that you can choose someone you feel you can trust. The experience of pupils in this and other schools is that, no matter how bad the problem may seem to be, it is almost always a great help to talk about it.

Is something worrying you?

Here are some examples of the kinds of thing which can be worrying for young people.

- You are having difficulty with one or more of your school subjects.
- You think you may be ill and are too afraid or embarrassed to tell anyone.
- You feel very depressed, or that life is not worth living.
- You or your friends are being bullied or treated unkindly by another pupil.
- You think that another pupil is not eating properly, or may be harming him/herself.
- You are worried, angry or hurt about something happening at School or home.
- You think that another pupil has done, or is about to do, something seriously wrong or dangerous.
- You are caught in a serious situation that you don't know how to get out of, for example to do with drugs, alcohol, money or sex.
- You feel you are being treated unfairly simply because you are a girl (or simply because you are a boy), or because of your colour or religion, or because you have a disability or learning difficulty, or because you are gay.
- You feel that a member of staff has treated you unfairly e.g. in a punishment given, or in favouring other pupils.
- You feel that you are not given enough privacy or independence.

What should you do?

If any of these things are happening, please talk to someone about it, even if you feel you can handle the situation. It may be that what's going on affects other people at school, or that you are unaware of all the different ways a problem can be tackled.

There are a number of different people who will be very happy to talk to you and to help you try to find a solution to the problem. It may help to talk first with another pupil who is a trusted friend. However, sometimes you may also need the help and support of an adult or professional. Choose whoever you feel most comfortable and safe talking to:

- Your tutor, Housemaster/mistress and/or his/her wife/husband, a Senior Master or Mistress, the Headmaster, matron or any member of staff.

We would expect one of these to be the first person you speak to if you have a **complaint** about the School or a member of staff, as it is normally the quickest and most effective way to get to the heart of the problem and resolve it.

However, if you do not feel able to speak to a member of staff, other people to talk to are:

- your parents or other relatives
- the Chaplain
- the School Counsellor
- the Anti-bullying Co-ordinator
- an older pupil at the School
- the School Doctor
- one of the School Governors
- independent listeners: these are people who live locally but have no formal connection with the school. They are sometimes former parents or pupils.
- Child Line: telephone 0800 1111

If you prefer, you can write to one of the people mentioned, although this does sometimes slow things down.

Who else needs to know?

The School understands that you may wish to talk about a problem only if it is kept secret. In many cases, this is possible, but there are three exceptions you should be aware of:

- the Headmaster is required by the Governors to make sure s/he is aware of all issues affecting the safety and welfare of pupils at the School. This means that the Headmaster will need to be kept informed by school staff of the broad nature (but not usually the details) of any serious health, safety or welfare issue of which they are aware. If your problem or complaint involves the Headmaster, then one of the Governors or the Deputy Head will be informed instead;
- if there is a suggestion of abuse, the School's Designated Person for Child Protection may have to be informed in order to protect the safety and welfare of you and/or of other pupils at the School;
- the School has a legal duty to keep your parents/guardians informed about your welfare and progress at school. However, if you do not wish them to be informed, please say so, so that the options can be discussed with you.

However, please do not let this stop you from raising complaints or saying when you are worried or upset. Most young people who speak up, say afterwards that it helped them enormously and that the problem did not seem quite as bad once they had a chance to talk it through with someone experienced and helpful.

Appendix 2

Complaints form

This form is to be completed by any member of staff who receives a complaint. It should be passed to the Headmaster.

What is the nature of the complaint? (Please tick)	
<input type="checkbox"/> Staff conduct	<input type="checkbox"/> Parental conduct
<input type="checkbox"/> Teaching standards	<input type="checkbox"/> Pastoral care
<input type="checkbox"/> Condition of premises	<input type="checkbox"/> Time tabling
<input type="checkbox"/> Matters of regime and routine	<input type="checkbox"/> Access to or regulation of extra curricular activities
<input type="checkbox"/> Other (please give details)	
Please give details of the complaint	
Date/s of incident	Time/s
If the complaint is about someone's behaviour please give the names of any witnesses to the incident/s	
Action taken	
Name	Position
Signed	Date

Appendix 3

Contacting Ofsted

The School is inspected by Ofsted, an independent organisation which reports to the Government on schools. Parents and pupils have the right to contact an inspector if they have a complaint concerning a pupil's welfare. Ofsted will usually expect parents or pupils to have followed the School's formal complaints procedure before contacting them. However, you can report your concerns to Ofsted on 08456 404040 or you can write to the Ofsted Regional Office.

Royal Exchange Buildings

St Ann's Square

Manchester

M2 7LA

Appendix 4

Procedures to be followed at a hearing of the Complaints Panel

- 1 **Introduction:** this is the procedure that will normally be followed by the Complaints Panel and is designed to ensure that all parties have the opportunity to present their views to the Panel.
- 2 **Meeting format:** the meeting will take the form of a "round the table" hearing, where all parties and the Panel are present in the same room throughout. Those present in the room throughout the hearing may include:
 - the Panel Members;
 - the Clerk to the Panel. The Clerk will take notes of the meeting. Any notes produced by the Clerk will not be verbatim and will belong to the Chairman. The Chairman can authorise the release of the Clerk's notes on condition that they remain confidential;
 - the parents who have made the complaint;
 - any person that the parents have brought as a supporter;
 - the Headmaster;
 - any other appropriate member of staff.

Note: any witnesses called by any of the above parties may be asked to make their contribution and then leave rather than staying for the whole proceeding.

3 Suggested agenda

- 3.1 Welcome and introductions by the Chairman.
- 3.2 Parents present their complaints. Where two parents are present, it is often more helpful if one parent undertakes the responsibility of presentation and answering of questions.
- 3.3 The Panel and the Headmaster may ask questions of parents for clarification. Questions should be put through the Chairman of the Panel who can intervene if s/he thinks that questions are inappropriate or are straying into cross examination.
- 3.4 The Headmaster puts his/her case, explaining the reasons for the decision and consideration and calling witnesses if necessary.
- 3.5 The parents and Panel Members may ask questions of the Headmaster for clarification. Again such questions should be put through the Chairman who can intervene as necessary.
- 3.6 The Headmaster is invited to make any further relevant points.
- 3.7 The parents are then invited to make any further relevant points.
- 3.8 When the Panel is satisfied that it has established facts sufficient for it to make its decision, the Chairman may bring the hearing to a close and inform the parties that they will be notified in writing of the decision, normally within seven working days.

- 3.9 The parents and the Headmaster leave together with any witnesses, supporters or representatives.
- 4 **Legal advice:** if, during the hearing, parents introduce legal points on which the Panel feel they will need advice, they will consider one of two options:
- 4.1 the Panel may decide to take a careful note of points made and to consider the advice of the School's lawyers before making their final decision; or
- 4.2 if the Panel feel that an immediate response is required, they may adjourn the hearing to take telephone advice from the School's lawyers.