



# St Martin's School Complaints Policy



All information about a complaint is treated as personal information and will be handled in accordance with the Data Protection Act.

The complaints policy is not relevant where other statutory provisions apply, for example, child protection, staff grievances and disciplinary processes, racial incidents, or special educational provision. If concerns relate to child protection matters, the appropriate Local Safeguarding Children's Board procedures will be followed, in accordance with the school's safeguarding policy. This typically involves contacting the relevant local authority children's services (MASH) and/or the Police who have relevant powers. If the concerns relates to exclusion, then the exclusion policy and procedure will apply.

A complaint can be made by any parent (or person deemed to have parental responsibility under the terms of the Children Act 2004) of any child attending the school; except where notice to leave the school has already been given. We invite complaints to be emailed to [complaint@stmartinsmillhill.co.uk](mailto:complaint@stmartinsmillhill.co.uk).

Removing children from the school prior to making a complaint forfeits the continuation of the process.

Where the complaint concerns only the matter of fees in lieu which remain outstanding, the matter of the fees alone falls outside the scope of this procedure.

## Introduction

St Martin's School is committed to providing a quality service in the pursuit of teaching excellence. One of the ways in which we continue to improve our education service is by listening and responding to the views of our parents. We pride ourselves on the quality of our provision for teaching and pastoral care, and on the strength of our relationships with parents.

We aim to provide services of a high standard to every parent, but sometimes things do go wrong. When this happens we want to hear from parents so that we can improve and learn from our mistakes.

We welcome complaints as they help us to improve. The day-to-day running of the school is the responsibility of the Head Teacher.

## Principles

We will treat all complaints seriously whether it is made by email, letter, and telephone call or in person. Formal complaints which are dealt with under our procedure must be made in writing by the Complainant.

We will deal with all concerns and complaints promptly, politely and seek to resolve matters informally in the first instance. We will give every opportunity for discussion and aim to resolve it through open dialogue, common understanding and focusing on a solution. We will respond appropriately to all concerns and complaints, providing further relevant information.

We will treat concerns and complaints confidentially, wherever possible. We will always treat complaints with sensitivity and care, although some information sharing may be necessary to carry out a thorough investigation. We will be non-adversarial and fair in our approach; addressing all points of issue and providing an effective response.

## Informal Concerns

We will handle all concerns immediately without the need for formal procedures. It is in everyone's interest that complaints are resolved at the earliest possible stage and that we ensure best practice in addressing them.

Formal procedures will only be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied, because no resolution has been reached, and the complainant wishes to take the matter further.

## Formal Complaints

A parent can complain where they feel they have been caused an injustice as a result of, and act or omission of, the function in school of a Head Teacher or their delegated staff member. This involves the day-to-day running of the school, including the implementation of school policies, and the actions or inactions of staff in relation to the following:-

- The school is not providing an acceptable level of education;
- The pupil is not achieving as much as expected or their different needs are not being met;
- The pupil's personal development and well-being are being neglected; or
- That the school is not well led or managed.

The Head Teacher will assign an investigating officer, which could be the Head Teacher themselves; unless the complaint is about them. The investigator should make sure that they identify what has happened so far and who has been involved, the nature of the complaint and what remains unresolved. Complainants must always be met or contacted.

The investigator will meet with all relevant parties in order to come to a satisfactory conclusion. All interviews should be conducted with an open mind and seek clarification and understanding. Notes should be taken and kept.

The Head Teacher ensures that all complaints are logged by the school and records how they were resolved. Complaints are welcomed at [complaint@stmartinmillhill.co.uk](mailto:complaint@stmartinmillhill.co.uk). We aim to respond within 7 days.

### Stage 1

In the first instance, parents should always have raised any concern with their child's form teacher so that the matter is resolved quickly and informally. It is expected that the vast majority of complaints will be resolved without the need for a formal process to be triggered at Stage 1, so that parents are reasonably satisfied through an informal approach.

If the teacher is unable to resolve the matter alone, it may be necessary to involve a more senior member of staff, such as the Deputy Head or Head Teacher.

Complaints raised in the first instance with senior members of school staff will always be referred to the relevant teacher, unless exceptionally they deem it more appropriate to deal with the matter personally.

Should the matter not be resolved within **seven working days**, with the exception of school closure and training days, or in the event that the parties have failed to reach a satisfactory resolution, then parents will be advised that the complaint will be dealt with at stage 2 of this school-based complaints procedure.

### Stage 2

In the vast majority of cases the Head Teacher will meet or speak with the parents concerned about their concerns, and normally within **five working days** of receiving the complaint. If at all possible, a resolution will be reached at this stage.

It is likely that the head Teacher will carry out further investigations. Written records of all meetings and interviews held in relation to the complaint will be kept.

We will endeavour to respond with **28 working days**. Sometimes it may not be possible to give parents a full reply within the timescale, for example, if relevant staff are absent or the investigation requires more detailed enquiries. In this case, an interim response should indicate what has been done to date, telling the complainant when they can expect the full response and from whom.

Once the Head Teacher 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 the decision in writing.

The Head Teacher will also give clear reasons for their decision. One outcome might be that further action is taken at stage 1, for example, where a previous explanation has been unclear so the teacher is to be given the opportunity to redress the matter swiftly.

### **Stage Three**

If parents are still not satisfied with the decision because there has been a failure to reach a resolution, they may wish to proceed to stage 3 of the school's complaints procedure.

This will involve consideration by a Complaints Panel of at least three people not directly involved in the matters detailed in the complaint, one of whom should be independent of the management and running of the school.

Each school panel member will be appointed by the Head Teacher. In the case of complaints about the Head Teacher, this role will be undertaken by a Director of Harwil Education Ltd.

Parents may be accompanied to the hearing by one other person. This may be a relative or friend. Legal representation at this time will not be deemed appropriate.

The Panel will reach a decision, providing written findings, and may make recommendations, to the complainant which it shall complete within seven days of the hearing. Where appropriate, the report will be sent to the person about whom the complaint has been made. A copy of the findings and recommendations will be made available at the school for inspection purposes by the Head Teacher for the relevant external Inspectorate. The decision of the Panel will be final.

Parents can also make other organisations aware of their concerns such as ISI. If your complaint has not been resolved by our setting, a formal complaint can be raised to the ISI using the ISI online contact form or via email [concerns@isi.net](mailto:concerns@isi.net) or the general helpline on 020 7600 0100. You can also contact the Department for Education on 0370 000 2288. However, please note that the latter is only applicable if the complaint is about a failure to meet the required satisfactory standards about the quality of education, the spiritual, moral, social and cultural development of pupils, the welfare, health and safety of pupils, the premises and accommodation at the school, and the suitability of the proprietor and staff within the school (Part 10 of the Education Act 2002). Nevertheless, it will remain the responsibility of parents to have first pursued their complaint against the school, using the above procedures.

All paperwork with regard to complaints to the ISI must be kept for a period of 3 years.

### **Vexatious Complaints**

There may be exceptional occasions when, despite the following of all stages of the procedure, the complainant remains dissatisfied.

If the complainant tries to reopen the same issue, St Martin's School reserves the right to inform the complainant in writing that the procedure has been exhausted and that the matter is now closed.

Where a complainant seeks to raise a subsequent complaint matter which is otherwise different to the original complaint, at Stage 3, this matter in itself would be treated as a new complaint.

**Written by: Mrs Wilson**

**Ratified by: Governors**

**Policy date: 1<sup>st</sup> October 2023**

**To be reviewed: November 2024**