

# Norton College (Worcester and Tewkesbury) Limited

## Complaints Procedure

### **Statement of intent**

Parents/Carers have the right to make a formal complaint in relation to any concerns or about the College curriculum.

If a parent/carer feels that any of these matters are not being dealt with properly as far as their child is concerned, they may use this procedure to make a complaint. Parents/Carers should in the first instance raise any concerns they may have with the Head of School.

It is hoped that any complaints will be resolved by talking to the Head of School, or a

## **1. Legal framework**

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Education Act 2002
- Freedom of Information Act 2000
- Immigration Act 2016
- Equality Act 2010
- UK General Data Protection Regulation (GDPR)
- Data Protection Act 2018
- The Education (Independent School Standards) Regulations 2014

This policy has also due regard to guidance including, but not limited to, the following:

- DfE (2021) 'Best practice guidance for school complaints procedures 2020.

## **2. Complaints Procedure:**

**2.1** All formal complaints will be addressed using the following procedure:

- a) All correspondence is in writing
- b) A copy of the procedure is available on request to parents of students at the College.
- c) There are clear time scales for the management of a complaint.
- d) The complaint can be made and considered initially on an informal basis.
- e) Where the parents/carers are not satisfied with the response to the complaint made in accordance with point (d), the complaint can then be made in writing.
- f) Where the parents/carers are not satisfied with the response to the complaint made in accordance with point (e), a hearing before a panel appointed by or on behalf of the College, and consisting of at least three people who were not directly involved in the matter, will address the complaint;
- g) In the panel hearing the complaint, one person will be independent of the management and running of the College.
- h) Parents/Carers attending a panel hearing may be accompanied if they wish.
- i) The panel will make findings and recommendations. It will stipulate that the complainant, Directors and the Executive Headteacher, and where relevant the person complained about, are given a copy of any findings and recommendations.
- j) A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing.
- k) All correspondence, statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 163 of the 2002 Act requests access to them.

## **3. Complaints Procedure Timeline**

### **3.1 Stage 1**

Formal complaints must be made to the Head of School (unless they are about the Head of School), via the school office. This may be done in person, in writing or by telephone.

The Head of School will record the date the complaint is received and will endeavour to acknowledge receipt within 3 school days.

Within this response, the Head of School will seek to clarify the nature of the complaint, ask what

remains unresolved and what outcome the complainant would like to see. The Head of School can consider whether a face-to-face meeting is the most appropriate way of doing this. Note: The Headteacher may delegate the investigation to another member of the College's senior leadership team but not the decision to be taken.

During the investigation, the Head of School (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Head of School will provide a response within 20 school days of the date of receipt of the complaint.

If the Head of School is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation

of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Norton College will take to resolve the complaint.

The Head of school will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the Head of school, or one of the Directors a suitably skilled person will be appointed to complete all the actions at Stage 1.

### **3.2 Stage 2**

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further,

they can escalate the complaint to Stage 2 – a meeting with at least three people who were not directly involved in the matters detailed in the complaint. The panel will consist of Directors and one member who is independent of the management and running of the school. This is the final stage of the complaints procedure.

A request to escalate to Stage 2 must be made within 5 school days of receipt of the Stage 1 response. The Head of School will record the date the complaint is received and acknowledge receipt of the complaint within 5 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Head of School will contact the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school days of receipt of the Stage 2 request. If this is not possible, the Head of School will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Head of School will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints committee will consist of at least three members with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If necessary, they will source any additional, independent panel members through another local school in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

If the complainant attends the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation. Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

The Committee will confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, the dates are convenient to all parties and that the venue and proceedings are accessible. The Committee will request copies of any further written material to be submitted to the committee at least 5 school days before the meeting. Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The meeting will be held in private and its aim is to achieve reconciliation between Norton College and the complainant. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

**3.3** The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the College's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and Norton College with a full explanation of their decision and the reason(s) for it. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Norton College will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the proprietor and the Executive Headteacher/Head of School.

**3.4** A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel meeting. Correspondence, statements and records relating to all complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.