

**COMPLAINTS POLICY & PROCEDURE FOR
PARENTS/GUARDIANS**

(Reviewed August 2017)

Number of formal complaints 2013-2014: 1

Number of formal complaints 2014-2015: 0

Number of formal complaints 2015-2016: 1

Number of formal complaints 2016-2017: 1

Introduction

The Foundation has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a complaint, they can expect it to be treated by the Foundation in accordance with this document. The Foundation keeps a written record of all complaints and whether they are resolved at an informal stage, or by formal resolution, or by a panel hearing.

This policy is available to all parents on request.

Stage 1 – Informal Resolution

- It is hoped that most complaints and concerns will be resolved quickly and informally.

FOR ALDENHAM SENIOR SCHOOL

If parents have a complaint they should normally contact their son or daughter's Tutor. In many cases, the matter will be resolved straightaway, to the parents' satisfaction, by this means. If the Tutor cannot resolve the matter alone, it may be necessary for him or her to consult with a Housemaster/mistress (HSM), the Senior School Principal or the Headmaster.

Complaints made directly to a Head of Department, HSM, the Senior School Principal or the Headmaster will usually be referred to the relevant Tutor unless the Head of Department, the HSM, the Senior School Principal or the Headmaster deems it appropriate for him/her to deal with the matter personally.

The Tutor, HSM, the Senior School Principal or the Headmaster (as appropriate) will normally make a written record of all concerns and complaints and the date on which they were received. Should the complaint not be resolved informally to the parents' satisfaction within 10 working days, then the parents may proceed with their complaint in accordance with Stage 2 of this Procedure.

FOR THE ALDENHAM PREP SCHOOL including the Early Years Foundation Stage (EYFS)

If parents have a complaint they should normally contact their son or daughter's Class Teacher. In many cases, the matter will be resolved straightaway, to the parents' satisfaction, by this means. If the Class Teacher cannot resolve the matter alone, it may be necessary for him or her to consult with a Key Stage Leader, the Deputy Head or the Headmistress.

Complaints made directly to a Key Stage Leader, the Deputy Head or the Headmistress will usually be referred to the relevant Class Teacher unless the Key Stage Coordinator, the Deputy Head or the Head deems it appropriate for him/her to deal with the matter personally.

The Class Teacher, Key Stage Leader, the Deputy Head or the Headmistress (as appropriate) will normally make a written record of all concerns and complaints and the date on which they were received. Should the complaint not be resolved informally to the parents' satisfaction within 10 working days, then the parents may proceed with their complaint in accordance with Stage 2 of this Procedure.

FOR ST HILDA'S SCHOOL including the Bluebird Nursery

If parents have a complaint they should normally contact their daughter or son's Form Tutor. In many cases, the matter will be resolved straightaway, to the parents' satisfaction, by this means. If the Form Tutor cannot resolve the matter alone, it may be necessary for them to consult with the Deputy Head or the Headmistress.

Complaints made directly to the Deputy Head or the Headmistress will usually be referred to the relevant Form Tutor unless the Deputy Head or the Headmistress deems it appropriate for them to deal with the matter personally.

The Form Tutor, the Deputy Head or the Headmistress (as appropriate) will normally make a written record of all concerns and complaints and the date on which they were received. Should the complaint not be resolved informally to the parents' satisfaction within 10 working days, then the parents may proceed with their complaint in accordance with Stage 2 of this Procedure.

EYFS

Written complaints about the fulfilment of the EYFS requirements will be investigated and the parent notified of the outcome within 28 days. The record of complaints will be available to ISI and Ofsted on request.

If the parent believes the School is not meeting the EYFS requirements they may contact:

Ofsted: 0300 123 4666 (compliance investigation and enforcement) or www.ofsted.gov.uk

ISI: **Independent Schools Inspectorate**, CAP House, 9 - 12 Long Lane,
London.EC1A 9HA
Telephone 020 7600 0100
Fax 020 7776 8849
info@isi.net

Stage 2 – Formal Resolution

- If the complaint cannot be resolved on an informal basis, the parents should put their complaint in writing to the Head of the relevant school (i.e The Senior School Principal, the Headmistress of Aldenham Prep School, the Headmistress of St Hilda’s School.) The Head will decide, after considering the complaint, the appropriate course of action to take. The Head will also normally make the Headmaster aware of the complaint.
- In most cases, the Head will meet or speak to the parents concerned, normally within 7 working days* of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage. If not it may be necessary for the Head to carry out further investigations.

(* Please note that working days are Mondays to Fridays in full term time, excluding bank holidays)

- The Head will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Head is satisfied that, so far as is practicable, all of the relevant facts have been established, s/he will make a decision within 7 working days thereafter and will inform the parents forthwith in writing of his/her decision (and the reasons for same).
- If parents are still not satisfied with the decision, they may proceed to Stage 3 of this Procedure.
- A written record is kept of all complaints that require formal action, the action that has been taken by the School as a result of this formal complaint, and whether or not they are resolved at this point or proceed to a panel hearing.

Boarders ’ complaints

If parents of boarding pupils have complaints or concerns about the welfare of their children at Aldenham it is recommended that in the first instance this is addressed through the channels proposed above. However if this does not achieve a satisfactory resolution, parents and boarders are advised that they may contact ISI directly. The Foundation’s written record of complaints identifies those complaints relating to boarding provision and action taken by the Foundation as a result of those complaints (regardless of whether they are upheld).

For more information contact:

- ISI: **Independent Schools Inspectorate**, CAP House, 9 - 12 Long Lane, London.EC1A 9HA
Telephone 020 7600 0100
Fax 020 7776 8849
info@isi.net

Stage 3 – Panel Hearing

1. NOTES:

1.1 For the purposes of this document and where the context admits the following definitions shall apply:

1.1.1	"Admission Agreement"	The agreement made between the parent and the school within the Aldenham Foundation at the time a place for entry to the School was offered to the pupil, as may have been varied from time to time, and which incorporates the Foundation's terms and condition
1.1.2	"Appeal"	An appeal by the parent against a decision of the Head
1.1.3	"Appeal Panel"	The panel appointed by the Chairman of Governors for the purpose of determining the Appeal and comprising not less than two members of the Governing Body and one person who is independent of the running of the Foundation. The Chairman of Governors shall nominate one member of the Appeal Panel as its Chairman
1.1.4	"Clerk"	The Clerk to the Governors is appointed to undertake the organisation and arrangements for the Appeal Panel Hearing.
1.1.5	"Head"	The Head of the School to which the appeal refers
1.1.6	"Headmaster"	Headmaster of Aldenham School /CEO of The Aldenham Foundation
1.1.7	"Foundation Response"	The written response to the Notice of Appeal from the Headmaster which will be drafted in consultation with the Head of the relevant school.
1.1.8	"Prep School"	The Aldenham Preparatory School
1.1.9	"Prep School Head"	Headmistress of Aldenham Prep School
1.1.10	" St Hilda's Head"	Headmistress of St Hilda's School
1.1.11	"Notice of Appeal"	The parent's written notice of appeal against the Head's decision
1.1.12	"Parent"	The parent, parents or legal guardian of the pupil
1.1.13	"Proforma"	A proforma to be completed and submitted as part of the appeal process, available on request
1.1.14	"Pupil"	A boy or girl receiving education at one of the schools within the Foundation
1.1.15	" Senior School Principal"	The person appointed as responsible for the day to day running of the Aldenham Senior School
1.1.16	"School"	Aldenham School, the Aldenham Prep School or St Hilda's School as which together comprise the Aldenham Foundation
1.1.17	"Working Days"	Mondays to Fridays during Aldenham School full term time, with the exception of Bank Holidays

1.2. The admissibility of an Appeal shall be subject always to the provisions of Paragraph 10.1 of this procedure.

2. RIGHT OF APPEAL

A parent who is dissatisfied with a decision of the Head may exercise a right of appeal in accordance with the provisions of the Foundation's Appeals Procedure. The proceedings of such an appeal will be treated confidentially. (NB Correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 162A of the 2002 Act requests access to them)

3. NOTICE OF APPEAL

3.1. A written Notice of Appeal, together with a completed proforma must be delivered by the parent to the Clerk to the Governors (the Clerk) within five working days from the date upon which the decision was communicated or, if later, the date of receipt of the Head's letter confirming the decision. A Notice of Appeal received subsequently will not be considered.

3.2 The Notice of Appeal must:

- a) Set out all the reasons why the parent considers the decision is wrong;
- b) Include the completed proforma outlining the grounds for the appeal
- c) Have attached all documents on which the parent intends to rely

3.3 The Clerk shall deliver a copy of the Notice of Appeal to the Headmaster and the Head of the relevant school at the earliest opportunity.

3.4 Pending the outcome of any appeal, the Head shall have complete discretion whether to implement or to defer implementation of the decision.

4. FOUNDATION'S RESPONSE

4.1 The Headmaster, having consulted appropriately with the Head concerned, shall send a Foundation response to the Clerk within 5 working days of receipt of a copy of the Notice of Appeal. This shall include any and all documents upon which the School intends to rely in the hearing. The Clerk shall as soon as practicable convey the response and documents (if any) to the parent.

5. ORAL HEARING OR WRITTEN DETERMINATION¹

5.1 If after receipt of the Foundation's response the parent declines to proceed with the Appeal the parent shall give written notice to that effect to the Clerk within three days of receipt of a copy of the Head's response.

6. APPOINTMENT OF APPEAL PANEL

¹ Failure to conduct an oral hearing would contravene the standards set down in the 2003 Regulations pursuant to the Education Act 2002. It is therefore the School's policy to conduct an oral Appeal Hearing unless the Parent making the Appeal specifically declines such a hearing in writing.

6.1 The Clerk shall, within 3 working days of his receipt of a copy of the Foundation's response, ask the Chairman of Governors to appoint the Appeal Panel. The date for the sitting of the Appeal Panel will be agreed with the parent and normally be arranged within ten working days of the Chairman's agreement to appoint such a panel.

6.2 No member of the Governing Body shall be eligible to serve on the Appeal Panel who has had any previous involvement in the decision.

7. PURPOSE OF THE APPEAL HEARING

7.1 In all cases, the purpose of the Appeal Hearing is to decide whether the complaint has been dealt with appropriately in the circumstances. In the event of it having been dealt with inappropriately, it is within the Appeal Panel's remit to instruct the Foundation to act in a different manner

8. HEARING PROCEDURE

8.1 The Clerk shall give the Headmaster, the Head and the parent not less than 5 days' notice of the date, time and place of the Appeal Hearing.

8.2 In the case of an oral Appeal Hearing there may be circumstances where it is unwise to hold the hearing at the School if this can be avoided. In this case, the Clerk will arrange a more neutral location that is convenient to all parties.

8.3 The procedure that the Appeal Hearing follows shall be at the discretion of the Appeal Panel. Unless the Appeal Panel determines otherwise:

- a) The Appeal Hearing shall be conducted in private and everything said at the Appeal Hearing shall be confidential. The Clerk will record the proceedings electronically and a summary of the meeting will be minuted. Both the electronic recording and minutes shall be kept confidential save only as the Chairman of the Appeal Panel may direct. Parents are asked to keep their own notes as a record of the proceedings of the hearing.
- b) The Appeal Panel shall make it clear at the outset that their decision shall be final and shall not be subject to further appeal.
- c) To such extent as may be necessary, the Headmaster shall outline the circumstances of the complaint after which the parent and the Appeal Panel shall have the right to ask such questions as the Appeal Panel deem appropriate. In the absolute discretion of the Appeal Panel, oral evidence may thereafter be called by the Headmaster with similar provision for questions by the parent and the Appeal Panel.
- d) The parent shall thereafter outline the case on behalf of the pupil, after which the Headmaster and the Appeal Panel shall have the right to ask such questions as the Appeal Panel deem appropriate. Unless otherwise directed by the Appeal Panel (whether because of the age of the pupil or otherwise in their absolute discretion), the pupil will then have the opportunity to speak and will answer such questions from the parent, the Headmaster and the Appeal Panel as the Appeal Panel deem appropriate. In the discretion of the Appeal Panel for like reasons as in relation to the Headmaster, oral evidence may thereafter be called by the parent
- e) Relevant new evidence that has come to light subsequent to the decision and that relates to the issues considered when that decision was taken may be admitted. Such evidence must be sent to all parties in advance of the Appeal Hearing and in sufficient

time to allow for its consideration; if that is not done, the Appeal Panel shall have the right to adjourn consideration of the Appeal on such terms as it believes proper. Save as aforesaid or with the permission of the Appeal Panel, neither the Headmaster nor the parent will be entitled to put before the Appeal Panel any document or witness statement which did not accompany the Notice of Appeal or the Foundation's response.

- f) After the conclusion of the evidence, the Headmaster and then the parent shall have the opportunity finally to address the Appeal Panel.
- g) The parent and Headmaster each may be accompanied and assisted by another person who must undertake to respect the confidentiality of the Appeal Hearing but who, save with the permission of the Appeal Panel, shall not have the right to address the Appeal Panel. It would be usual for the Headmaster to be accompanied by the Head of the relevant school.
- h) The Clerk may advise the Foundation prior to the Appeal Hearing but after commencement of the Appeal Hearing he shall take no part in the Appeal save that he shall minute the decision of the Appeal Panel.
- i) The Appeal Panel may take any decision by a majority.

9 DELIVERY OF THE APPEAL DECISION

9.1 The Appeal Panel's decision shall be final and shall not be subject to further appeal. As soon as is practicable after the Appeal Hearing and in all normal circumstances within five working days, the Clerk shall write to the parent, with a copy to the Headmaster, setting out the Appeal Panel's reasoned decision. A copy of those findings and recommendations will be sent by electronic mail or otherwise to the complainant and, where relevant, the person complained about.

10 PRELIMINARY MATTERS

10.1 No appeal relating to a complaint shall be entertained if any fees or other sums payable to the Foundation under the Admission Agreement are in arrears.

10.2 Any dispute as to the date, time or place of the Appeal Hearing or in relation to any other matter touching the Appeal Hearing in advance of it taking place shall be decided by the Chairman of the Appeal Panel following written representations from the Headmaster and the parent.

11 TIME LIMITS

11.1 Save in relation to the giving of Notice of Appeal pursuant to paragraph 2 of this procedure, the Chairman of the Appeal Panel shall have the power to extend the time within which any step shall be taken.

11.2 Notices or documents sent by first class post shall for the purposes of this Appeal Procedure be assumed to be received by the addressee on the day after posting, ignoring for this purpose Saturdays, Sundays and statutory holidays.

12 FINDINGS

12.1 The findings of a panel will be kept on the Foundation premises for consultation by the Headmaster, Chair of Governors or for an Inspection body.

Headmaster January 2011, Reviewed September 2012, Reviewed November 2012, Reviewed
January 2014, Reviewed August 2015, Reviewed December 2016 ,Reviewed August 2017