



**Chigwell School**

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Staff champion	MEP
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## **Complaints Procedure - Parents**

### **Introduction**

Chigwell is a busy school and a great deal is achieved with positive co-operation on all sides. However, we do recognise that conflicts of interest, misunderstandings and disagreements will occasionally occur between pupils, parents and teachers. Such occasions are rare but pupils, staff and parents are encouraged to share views and opinions as feedback is an important aspect of school improvement. Under these circumstances we undertake to deal with issues promptly and fairly, informally in the first instance. If current parents do have a complaint, they can expect it to be treated by the School in accordance with this Procedure. Feedback will be actively sought from pupils and parents using, for example, questionnaires and the School Councils in order to minimise complaints and to maximise accountability.

This policy applies pupils across the School including the Early Years Foundation Stage (EYFS)

A complaint may be generally recognised as 'an expression or statement of dissatisfaction, however made, about actions taken or a lack of action'. It's in everyone's interest that complaints are resolved at the earliest possible stage and many issues can be resolved informally. It is expected that complaints will be raised within three months of the issues, unless there are exceptional circumstances.

### **Principles Behind the Policy**

- A complaint is likely to arise when there are issues of physical or emotional wellbeing and security or when the School's stated aims or values are being ignored.
- The Headmaster, and the Head of Pre Prep or Junior School as relevant, will be informed of all complaints and their outcome.
- A written record is kept of all formal complaints, and of whether they are resolved at Stage 2 (formal) or proceed to Stage 3 (panel hearing). This record includes actions taken as a result of the complaint regardless of whether it is upheld.
- In accordance with the Regulatory Requirements for the Provision of Information (DfE Part 6, Paragraph 24.(3)(g)) the number of complaints registered under the formal procedure during the preceding school year will be available on request.
- Any concern about the safety of a child should be notified immediately to the person believed to be best placed to take urgent action and should be confirmed in writing to the Headmaster.
- Regardless of the nature of a complaint and whether or not it is upheld, parents are not entitled to details of any related sanctions imposed on staff, pupils or parents..
- If a complaint relates to public examinations, then the relevant Joint Council for Qualifications, Ofqual or examination board processes take precedence over this procedure.
- This policy applies only to complaints from each of the following:
  - parents of current pupils;
  - parents of former pupils if the complaint was initially raised when the pupil was registered at the School.

- The School has separate grievance and whistleblowing policies as well as procedures for staff concerns.

### **Stage 1 – Informal Resolution**

- It is expected that most complaints can be resolved informally. For example, dissatisfaction about some aspect of teaching, pastoral care or a billing error should be resolvable by the appropriate member of staff.
- If parents have a complaint, they should normally contact their son/daughter's Form Tutor or the appropriate member of staff. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the member of staff cannot resolve the matter alone, it may be necessary for them to refer it to a senior member of staff. Again, the aim will be to resolve the issue amicably and informally. Complaints made directly to a senior member of staff will usually be referred to the relevant Form Tutor or a similar colleague unless the senior member of staff deems it appropriate for them to deal with the matter personally.
- The member of staff will make a written record of all complaints, the date on which they were received and will acknowledge by telephone, email or letter within three working days of receipt during term time and as soon as practicable during the holidays. A matter raised orally will not necessarily be acknowledged in writing, but a record of the matter will be made. Should the matter not be resolved within ten term time working days, or in the event that the Form Tutor and the parents fail to reach a satisfactory resolution, then parents will be advised to proceed with their complaint in accordance with Stage 2 of this procedure. (If the matter is raised at the end of term, or in the holidays, parents should expect a resolution within ten working days of the start of the next term).

### **Stage 2 – Formal Resolution**

- If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Headmaster, making it clear that their complaint is formal. The parent is asked to explain in writing why they are unhappy with the outcome of the Stage 1 outcome, and specify the subject matter of their complaint at stage 2. If the parent has documents to support their complaint, they should include these with their submission to the Headmaster, making their relevance clear.
- The Headmaster will decide, after considering the complaint, the appropriate course of action to take. In most cases the Headmaster, or the individual delegated by the Headmaster to investigate the complaint, will speak to the parents concerned, within three term time working days of receiving the complaint, to discuss the matter. (If the matter is raised at the end of term, or in the holidays, parents should expect a response within three working days of the start of the next term). If possible, a resolution will be reached at this stage.
- It may be necessary for the Headmaster to arrange further investigations, in which case a target date for providing a response will be given. This will be within twenty term time working days. (If the matter is raised at the end of term, or in the holidays, parents should expect a response within twenty working days of the start of the next term).
- The Headmaster will keep written records of all meetings and interviews held in relation to the complaint.
- 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, with reasons for that decision.

### **Stage 3 – Panel Hearing**

- If a parent is dissatisfied with the Stage 2 response to the formal complaint, the parent can write to the Chair of Governors to request a Stage 3 Complaints Panel Hearing. (The Chair of Governors has been appointed by the Governors to call hearings of the Complaints Panel.)

- The purpose of a Complaints Panel Hearing (Hearing) is to consider those elements of the Stage 2 response to the parent's formal complaint with which the parent remains dissatisfied. The Complaints Panel is not obliged to consider any new complaints which have not been previously raised.
- A request for a Hearing must be put in writing to the Chair of Governors and will usually only be considered if the procedure at Stage 2 has been completed. The written request should include:
  - a copy of all relevant documents and an explanation of how they support the parent's complaint;
  - a statement of the specific complaint, the grounds for it and the outcome desired;
  - a list of the documents which the parents believe to be in the School's possession and wish the complaints panel to consider;
- The matter will then be referred to the Complaints Panel for consideration. The 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 governance, management and running of the School. Each of the Complaints Panel members shall be appointed by the Chair of Governors. The Clerk to the Governors, on behalf of the Complaints Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and within fifteen term time working days. (If the matter is referred to the Complaints Panel at the end of term, or in the holidays, parents should expect a hearing within fifteen working days of the start of the next term).
- 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. Copies of such particulars shall be supplied to all parties not later than three term time working days prior to the hearing.
- Before the Hearing, the Headmaster will provide a statement to the Complaints Panel and the parent 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.
- A parent may bring a friend to the Hearing, who may speak on their behalf if they feel unable to express themselves as they would like. Legal representation is not necessary and will not normally be appropriate as the Panel Hearing is an internal proceeding, not legal proceedings. If the parent's accompanying friend, or indeed any other participant at the Hearing, is legally trained it is important that they appreciate that it will be conducted as an internal proceeding. The pupil concerned may attend (where age appropriate and at the Panel Chair's discretion), but the parent, not the pupil, is regarded as the appellant.
- The parent, friend, if attending (and the pupil, if attending), will come before the Complaints Panel at the same time as the Headmaster. The procedure to be followed is flexible and will be at the discretion of the Panel. Usually, however, the Headmaster will present his statement first and, subject to any questions from the Panel, will be followed by the parent's statement, identifying the factors which are relied upon as the basis for the appeal. There will be an opportunity for clarification and discussion of the points raised by all present.
- At the conclusion of the hearing the Complaints Panel will discuss with the parent whether it is able to give a decision that day. If it is, all those present will leave the Panel to consider their decision. When the Panel are ready, all parties will return to the room and the decision will be announced with the reasons for the decision. It may be that it is not possible for the Panel to reach a concluded decision on the day, in which event it will reserve its decision and provide the same in writing. In either event, a written copy of the decision, with reasons, will be sent to the parent, Headmaster, Chair of Governors, unless he/she was on the Panel, and, where relevant, any person who was the subject of the complaint within five term time working days.
- The Panel will decide whether, on the information placed before him, the Headmaster could reasonably have come to the decision he reached. If, however, information is placed before the Panel which was not placed before the Headmaster, or the Panel considers ought to have

been before the Headmaster, the Panel will consider whether such information would or should have affected his response and may take this into account in determining the outcome. The Panel will have the power to affirm, reverse or vary the decision of the Headmaster and may make recommendations. The decision of the Panel will be final and binding.

- If possible, the Complaints Panel will resolve the parents' complaint immediately without the need for further investigation.
- The findings will be made available for inspection on the school premises by the Governors and Headmaster.

A written record will be kept of all formal complaints, including actions taken by the School as a result of a formal complaint, and of whether they are resolved at the preliminary stage (stage 2) or proceed to a panel hearing (stage 3). The written record identifies those which relate to boarding. The number of formal complaints is available to parents on request. Parents can be assured that all complaints will be treated seriously and confidentially. All 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 108 or 109 of the 2008 Act requests access to them.

In the case of EYFS complaints, the School will investigate written complaints to the fulfilment of the EYFS requirements and notify complainants of the outcome of the investigation within twenty eight days of having received the complaint. A record of EYFS complaints will be made available to ISI and Ofsted on request. The findings will be kept on the school premises and will be available for inspection only by the Chair of Governors and the Headmaster.

### **Review of Complaints**

A log is kept of all formal complaints that are made and includes details of whether these have been resolved following a formal procedure or have proceeded to a panel hearing. The complaints log also states the action taken by the School as a result of these complaints, regardless of whether they have been upheld. The log shall be reviewed by the Headmaster regularly and not less than on a termly basis. It is also reviewed by Governors.

### **Statutory Complaints**

Parents may if they wish raise complaints related to the quality of education or the welfare health or safety of pupils, by writing to ISI directly to: Independent Schools Inspectorate, CAP House, 9-12 Long Lane, London EC1A 9HA, email: [concerns@isi.net](mailto:concerns@isi.net), telephone 020 7600 0100

Parents can also make a complaint to: Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD, telephone 0300 123 4666, email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

### **Complaints to Ofsted Regarding EYFS Service Providers**

Parents may only complain directly to Ofsted if they believe that the School is not meeting the EYFS requirements. Should this be the case, Ofsted may be contacted on 0300 123 4666 or Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD, email [enquiries@ofsted.gov.co.uk](mailto:enquiries@ofsted.gov.co.uk)

**For and on behalf of the Governors**  
**M.E. Punt**