Complaint Procedure

Hastings School

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Registered in England & Wales - Cognita Schools Limited No. 02313425
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COGNITA

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1. Introduction

1.1. For the purpose of this procedure, the definition of the term 'parent' is as follows:
A person who has parental responsibility (i.e. legal responsibility for the Child) and is entitled to receive relevant information concerning the Child.

1.2. For the purposes of this procedure, 'working days' means working days during school term time. In the event of a complaint arising during the school holidays, wherever possible the same time periods will be maintained as during term time. However, the member of staff who is investigating the complaint will need to ascertain the exact time required to secure the necessary information and, if there is the need to go beyond this time scale, will inform the parents accordingly in writing.

1.3. We take great care with the quality of the teaching and pastoral care provided to our pupils. However, if parents do wish to make a complaint, they can expect the following procedure to apply.

1.4. This policy is applicable to all pupils, including those in the Early Years Foundation Stage, however, a complaint cannot be made if the child is not on the roll of the school.

1.5. This procedure has two sections.

- Section A: School Complaints managed by the School
- Section B: Complaints about the Head of School or general management of the school

2. Section A: General Complaints

This Section is administered and managed by the school

2.0. It is hoped that most complaints will be resolved quickly, informally and within the school management structures

2.1. The Complaints Procedure only applies to students currently on the roll of the school

2.2. The Complaints Procedure cannot be used to seek refunds or discounts on fees.

2.3. Stage 1 – Informal Resolution

2.3.1. If parents have a complaint, they should contact their child's class teacher/form tutor in the first instance. The child's class teacher/form tutor will be responsible for determining the appropriate course of action to support resolving the parent's complaint. The child's class teacher/form tutor will endeavour to resolve the complaint by way of a discussion in the first instance. This is referred to as Stage 1 of the complaints process. In most cases, the matter will be resolved at this level to the parents' satisfaction. The matter should be documented and clearly identified as a Stage 1 Complaint. It is the parent's responsibility to articulate the matter as a complaint in writing, and it is the school's responsibility to acknowledge the complaint has been received.

2.3.2. If the class teacher/form tutor cannot resolve the matter, it may be necessary for them to consult with a member of the School Senior Leadership Team. The Senior Leadership Team will be responsible for determining the appropriate course of action to support resolving the parent's complaint. This may include:

- organising a discussion between the parents and relevant staff member(s) in response to the complaint; or
- escalating the matter to Stage 2, which is still managed within School

2.3.3. Any Stage 1 complaint made directly to the Head/Principal will usually be referred back to the relevant staff member(s) unless the Head/Principal considers it more appropriate to deal with the matter personally. Should this be the case, the Head/Principal will still endeavour to resolve the matter by scheduling a discussion with the parents. The involvement of the Head/Principal at this stage will be in exceptional circumstances.

2.3.4. Stage 1 complaints should be addressed within 7 working days from the point at which they are received. Where there are reasons which prevent this from happening, the

staff member dealing with the complaint will notify the parents and provide an amended time frame.

2.3.5. A written record of all Stage 1 complaints will be kept (regardless of whether they are upheld) by the school and this will include the date on which the complaint was received, the action taken and the outcome.

2.3.6. Should the matter not be resolved at Stage 1, despite the school's best efforts, then the parents are able to proceed with their complaint in accordance with Stage 2 of this procedure. It is the school's responsibility to inform parents that they can proceed to Stage 2 of the complaints procedure should they not be satisfied with the outcome of Stage 1.

2.4. Stage 2 – Formal Resolution – School Level

2.4.1 If it has not been possible to resolve the complaint at Stage 1, then the parents should request their complaint be taken to Stage 2 in writing to the Head/Principal. The Head/Principal will decide, after considering the complaint, the appropriate course of action to take including the person to take the lead in any investigation.

2.4.2 The Head/Principal will respond to parents within seven working days indicating how the school proposes to proceed.

2.4.3 It may be necessary for the Head/Principal, or the person taking the lead, to carry out further investigations. If this is the case, then written records will be kept of all meetings and interviews held in relation to the complaint.

2.4.4 Once the Head/Principal is satisfied that all of the relevant facts have been established during the course of the investigation (so far as is practicable), a decision will be made in relation to the complaint within 15 working days from the date the complaint was escalated to the Head/Principal. The Parents, along with Cognita Complaints Team will be informed of the outcome of the Stage 2 investigation.

2.4.5 Where it is not possible to give a full reply within 15 working days (for example, due to school holidays), the Head/Principal will notify the parents and provide an amended time frame.

2.4.6 It is expected that a resolution will be reached at this stage and that parents will feel assured that all of their concerns have been fully and fairly considered. If, in extreme circumstances, parents are not satisfied with this process, they are able to escalate

this matter further in accordance with Stage 3 of this procedure. This will involve referring the matter to a Complaints Panel.

2.5 **Stage 3 – Panel Hearing – managed centrally by Cognita Complaints Team**

2.5.1 Parents should request a referral to a Complaints Panel by completing the Online Complaints Form mailto: within 5 working days of receipt of the decision at Stage 2 above.

2.5.2 Cognita will acknowledge receipt of the Stage 3 complaint and will schedule a hearing to take place as soon as practicable and normally within 20 working days of receiving the request to escalate the matter to Stage 3.

2.5.3 The Complaints Panel, including a designated panel Chair, will be appointed by the Managing Director and at least one of the three members shall be independent of the management and running of the school and of Cognita. The members of the Complaints Panel will have no connection to the pupil, or the family concerned and will not have been directly involved in the matters detailed in the complaint.

2.5.4 If the Chair of the Complaints Panel deems it necessary, s/he may require that further particulars of the complaint and any relevant documents or records be supplied in advance of the panel meeting.

2.5.5 The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation is not permitted. Recordings of hearings are not permitted.

2.5.6 If possible, the Complaints Panel will resolve the parents' complaint immediately without need for further investigation.

2.5.7 A written record of the proceedings will be taken.

2.5.8 After due consideration of all facts considered relevant, the Panel will reach a decision and make recommendations in response to the complaint, which shall be shared with the complainant(s) within 10 working days of the hearing. The Chair of the Panel will write to the parents informing them of their decision in relation to the complaint and the reasoning for this decision.

2.5.9 The Panel's findings and recommendations will be sent in writing to the complainant and the Head/Principal. A copy of any complaint and findings/recommendations will

be held confidentially and made available for inspection in the school by the proprietor and by inspectors on request.

2.5.10 After this decision has been communicated in writing, the complaints procedure has now been exhausted.

2.5.11 The decision of the Complaints Panel is final.

3. Section B: Complaints about the Head of School or General Management of the School

This Section is administered and managed by the Cognita Complaints Team

3.0. It is hoped that most complaints will be resolved quickly and informally.
3.1. The Complaints Procedure only applies to students currently on the roll of the school
3.2. The Complaints Procedure cannot be used to seek refunds or discounts on fees

3.3. Stage 1 – Informal Resolution

3.3.1. Should a parent wish to raise a complaint about the Head/ Principal they should contact the Cognita Office by completing the Online Complaints Form in the first instance. This will trigger contact with the Independent Complaints Coordinator to clarify and discuss the matter with the relevant parties. . Any complaints made about the Headteacher will initially be referred to the Chair of Governors by the Independent Complaints Coordinator. The aim will still be to resolve the matter at Stage 1.

3.3.2. The Independent Complaints Co-ordinator and Chair of Governors will be responsible for determining the appropriate course of action to support with resolving the parents' complaint. This may include:

- organising a discussion between the complainant(s) and Chair of Governors in response to the complaint; or
- escalating the matter to Stage 2.

3.3.3. Stage 1 complaints should be addressed within 7 working days from the point at which they are received. Where there are reasons which prevent this from happening, the Independent Complaints Coordinator will notify the parents and provide an amended time frame.

3.3.4. Should the matter not be resolved at Stage 1, then the parents are able to proceed with their complaint in accordance with Stage 2 of this procedure.

3.4. Stage 2 Formal Resolution

3.4.1. If it has not been possible to resolve a complaint about the Head/Principal at Stage 1, parents should notify the Cognita Head Office of their desire to escalate the matter to

Stage 2 by requesting an escalation to Stage 2 via email to complaints@cognita.com, – at which point the Director of Education , will be notified.

Where there is a Stage 2 complaint made against the Head/Principal or in relation to the management of the school, the Independent Complaints Coordinator will appoint an investigating officer.

3.4.3 A Stage 2 complaint about the Head/Principal or relating to the general management of the school will normally be dealt with within 15 working days of receiving the complaint.

3.4.4 It may be necessary for the investigating officer, to carry out further investigations. If this is the case then written records will be kept of all meetings and interviews held in relation to the complaint.

3.4.5 Once the investigating officer is satisfied that all of the relevant facts have been established during the course of the investigation (so far as is practicable), a decision will be made in relation to the complaint. Parents will be informed of the investigating officer's decision and the reasoning behind this decision in writing, within 15 working days from the date that the complaint was escalated to Cognita.

3.4.6 Where it is not possible to give a full reply within 15 working days (for example, due to school holidays), the investigating officer will notify the parents and provide an amended time frame.

3.4.7 It is expected that a resolution will be reached at this stage and that parents will feel assured that all of their concerns have been fully and fairly considered. If, in extreme circumstances, parents are not satisfied with this process, they are able to escalate this matter further in accordance with Stage 3 of this procedure. This will involve referring the matter to a Complaints Panel.

3.5 Stage 3 – Panel Hearing

3.5.1 Parents should request a referral to a Complaints Panel by requesting an escalation to Stage 3 via email to complaints@cognita.com within 5 working days of receipt of the decision at Stage 2 above.

3.5.2 Cognita will acknowledge receipt of the Stage 3 complaint and will schedule a hearing to take place as soon as practicable and normally within 20 working days of receiving the request to escalate the matter to Stage 3.

3.5.3 The Complaints Panel, including a designated panel Chair, will be appointed by the Independent Complaints Coordinator and at least one of the three members shall be independent of the management and running of the school and of Cognita. The members of the Complaints Panel will have no connection to the pupil or the family concerned and will not have been directly involved in the matters detailed in the complaint.

3.5.4 If the Chair of the Complaints Panel deems it necessary, s/he may require that further particulars of the complaint and any relevant documents or records be supplied in advance of the panel meeting.

3.5.5 The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation is not permitted. Recordings of hearings are not permitted.

3.5.6 If possible, the Complaints Panel will resolve the parents' complaint immediately without need for further investigation.

3.5.7 A written record of the proceedings will be taken.

3.5.8 After due consideration of all facts considered relevant, the Panel will reach a decision and make recommendations in response to the complaint, which shall be shared with the complainant(s) within 10 working days of the hearing. The Chair of the Panel will write to the parents informing them of their decision in relation to the complaint and the reasoning for this decision.

3.5.9 The Panel's findings and recommendations will be sent in writing to the complainant and the Head/Principal. A copy of any complaint and findings/recommendations will be held confidentially and made available for inspection in the school by the proprietor and by inspectors on request.

3.5.10 The school will respond to the recommendations in the form of an action plan which will be submitted to and monitored by the Chair of Governors in subsequent Governance meetings.

3.3.11 After this decision has been communicated in writing, the complaints procedure has now been exhausted.

3.3.12 The decision of the Complaints Panel is final.

4. Early Years

4.1. This policy is compliant with the requirements of the Statutory Framework for the Early Years Foundation Stage. Where parents believe that the school is not fulfilling the requirements of the EYFS they are entitled to raise concerns with either ISI or Ofsted (see below for contact details). All complaints relating to the EYFS are investigated and complainants will be notified of the outcome of the investigation within 28 days of having received the complaint. Where parents do not believe that an early year's complaint has been resolved they can raise this with Ofsted via email enquiries@ofsted.gov.uk or telephone 0300 123 1231. All paperwork with regard to complaints to Ofsted will be kept by the school for 3 years.

5. Vexatious Complaints

5.1. 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, Cognita 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 at Stage 1 complaint.

6. Recording of Complaints

6.1. All complaints which have reached Stages 2 or 3 are duly recorded in the School Complaint Register, including the outcome of the individual complaint and any actions taken as a result. The stage at which the complaint is concluded is recorded.

7. Confidentiality

7.1. Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential. The School may be required to make available to an inspectorate on request a written record of any complaints made during a specified period and the action which was taken as a result.

8. Publication

8.1. This procedure is published on the school website.

9. Provisions Relating to Complaints dealt with using this Procedures

9.1. This procedure will not be relevant where other statutory or organisational provisions apply, for example, child protection, racial incidents or special educational provision. If concerns relate to child protection matters, the appropriate Local Safeguarding Children's Board procedures will be followed.

9.2 This procedure cannot be used to deal with appeals following expulsion or removal. There is a separate procedure in place in accordance with the parent contract. Guidance on how to request this will be provided in the event of an exclusion or removal and is covered in the Suspension, Expulsion and Removal in Other Circumstances Policy.

9.3 Nothing in this policy shall prejudice the right of parents of a pupil with SEN or a disability. to seek redress if they believe their child has received unfavourable treatment.

9.4 A complaint can be made by any parent (or person deemed to have parental responsibility) of a pupil registered at the school.

9.5 When the complaint concerns only the matter of finance such as fees in lieu which remain outstanding, the matter of the fees owed alone falls outside the scope of this procedure. The Head/Principal of the School remains responsible for all financial decisions.

9.7 Complaints from groups of parents about the school will not be heard collectively. Confidentiality must be maintained for each individual complainant.

Complaint record from previous academic year:

Number of formal complaints received:

Link to the Online Complaints form can be found here: Online Complaints Form

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Document Sponsor	Director of Education, Europe & USA Sarah Reynolds
Document Author / Reviewer	Director of Education, Europe & USA Sarah Reynolds
Consultation & Specialist Advice	Independent Complaints Coordinator Senior Admin Assistant, Education Team Head of Educational Compliance, Spain/Italy
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