

CHRIST'S HOSPITAL

COMPLAINTS POLICY AND PROCEDURE

Aim

1. The aim of this document is to set out the manner in which complaints raised by parents or guardians, of pupils at the School are dealt with. The intention is that these complaints will be dealt with sympathetically, effectively and appropriately and resolved as quickly as possible. Every effort will be made to ensure that complaints are resolved in a positive way with the aim of putting right some aspect of School life which may have gone wrong. Where necessary, the School's systems and practices will be reviewed in light of the circumstances leading to the complaint.
2. **This policy and its procedures have been approved by the Head Teacher and Council of Christ's Hospital and have been drawn up with regard to and in compliance with Schedule 1, Part 7 of the Education (Independent School Standards, England) Regulations 2014 and NMS 2015.**
3. The procedures set out below may be adapted as appropriate to suit the circumstances of each particular case. Certain of the procedures can only be carried out during term time.

Scope

4. Separate procedures apply in the event of a complaint or concern regarding a child protection/safeguarding issue; details of these procedures are available from the School Office (see Annex A). Appeals against the expulsion of a pupil are covered by the parent contract.

Introduction

5. Christ's Hospital has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents or guardians do have a complaint, they can expect that it will be treated by the School in accordance with this policy. Christ's Hospital will make this policy available to all parents of pupils and prospective pupils on the School's website and in the School Office during the School day. Parents of pupils and of prospective pupils who request it will be made aware that this document is published or available and the form in which it is published or available.
6. Parents and pupils should never feel, or be made to feel, that a complaint will be taken amiss or will adversely affect a pupil or his/her opportunities at the School. The policy, however, distinguishes between a concern or difficulty which can be resolved informally and a formal complaint which will require investigation.
7. Parents or guardians are strongly encouraged to use the procedures in this policy to address their concerns and complaints rather than airing them informally, for example by posting issues on social networking sites. This will ensure that the appropriate level of investigation is carried out and that any necessary remedial action will be implemented in a proper and timely fashion.

Anonymous complaints

8. The School will try to trace anonymous complaints and will record them in the Complaints Log.
9. The only exception to this is when the complaint raises concerns about serious breaches of School policies or about potential risks to pupils and staff, in which case a general investigation will be undertaken. In this case all appropriate steps will be taken to investigate the complaint thoroughly and remedial action will be taken where this is considered necessary. However, it may not be possible to follow fully the procedures set out below.
10. Where an anonymous complaint is considered by the Head Teacher to be frivolous, vexatious or presents no grounds for an investigation, then the decision to take no further action will be recorded in the Complaints Log.

Timescales

11. The School should be informed as soon as possible if there is any cause for dissatisfaction and all concerns and complaints will be addressed in a timely fashion. Timescales for each stage are set out below. Reference to “working days” means Monday to Friday during term time. The dates of School terms are published on the School’s website and in the termly School Calendar.
12. A concern about the safety of a child should be notified immediately to the person best placed to take urgent action (such as the relevant houseparent or the Designated Safeguarding Lead) and should be confirmed in writing to the Head Teacher.

Complaints Co-ordination

13. The Head Teacher is responsible for the co-ordination and administration of the complaints procedure. If he is unavailable, or is himself the subject of the complaint, his duties will be carried out by the Senior Deputy Head, or another senior member of staff, or a member of the Council of Christ’s Hospital as appropriate. Otherwise, the Head Teacher will:
 - be the first point of contact for a formal complaint while the matter remains unresolved, and will ensure appropriate records are kept;
 - co-ordinate the complaints procedures in the School;
 - arrange assistance for parents who require this, for example because of a disability;
 - ensure that an appropriate training programme is provided for all School employees whose action, behaviour or omission led to a complaint; and
 - monitor the keeping, confidentiality and storage of records in relation to complaints.

Complaints Log

14. Every formal complaint made to the School will be noted, together with the action taken, in the Complaints Log.

Procedure Stage 1: Informal complaint

15. It is expected that most concerns, where a parent or pupil seeks intervention, reconsideration or some other action to be taken, can be resolved informally. **It is in the best interests of all parties that such complaints are resolved swiftly and expeditiously; 14 days would be a sensible timescale for such complaints.** Examples might include, but are not limited to:
- dissatisfaction with some aspect of teaching or pastoral care;
 - allocation of pupil privileges or responsibilities;
 - a timetable clash or some other aspect of the School's systems or procedures; and
 - a billing error.

Complaints of discrimination, harassment or victimisation are taken very seriously and may need to be progressed to Stage 2 below as soon as they are received.

16. Parents or pupils should initially raise their concerns in writing, as follows:
- **Education issues:** if the matter relates to the classroom, assessments, the curriculum or special educational needs, with the relevant head of department or head of year;
 - **Pastoral care:** for concerns relating to matters outside the classroom or in the boarding house, with the relevant Houseparent;
 - **Disciplinary matters:** a problem over any disciplinary action taken or a sanction imposed should be raised with the relevant Head of Year;
 - **Financial matters:** a concern relating to fees or extras should be raised with the Finance Director.

Stage 2: Formal complaint

17. A complaint which cannot be resolved under Stage 1 above should be set out in writing to the Head Teacher. The complainant should provide full details of the complaint and include copies of all relevant documents and full contact details. The complaint will normally be acknowledged by e-mail or letter within **three working days** of receipt, during term time, indicating the action being taken and the likely timescale. A Complaints Form will be completed and held on file.
18. The Head Teacher will instigate an investigation into the matter and respond to the complainant within **15 working days**. The person conducting the investigation may request additional information from the complainant and will probably wish to speak with them personally and/or to others who have knowledge of the circumstances.
19. The outcome of the investigation will be reported to the Head Teacher who will then notify the complainant by e-mail or letter of his decision and the reasons for it. Written records will be kept of all meetings and interviews held in relation to the investigation.
20. The Head Teacher's aim will be to inform any complainant of the outcome of an investigation and any related action within **15 working days** of receipt of the complaint. Any complaint received after the end of term or over a half term holiday may take longer to be resolved. In all cases the Head Teacher will keep the complainant informed of any changes to the timetable indicated.
21. A concern which has not been resolved at Stage 2 within **15 working days** of receipt of the complaint should be dealt with under Stage 3, unless the complainant has been informed of the reason for any delay.

Stage 3: Reference to a Complaints Panel

22. A parent or pupil who is dissatisfied with the decision made under Stage 2 may ask for the complaint to be referred to a Complaints Panel, by writing to the Chief Operating Officer (see Annex A).
23. A Complaints Panel hearing is a review of the decisions taken by the Head Teacher. The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.
24. When seeking a Complaints Panel review, the complainant must state the grounds on which they are progressing the complaint from Stage 2 and the outcome which is sought. The complainant may also include reference to any concerns regarding the investigation process followed thus far, any fresh evidence that has come to light or any new mitigating circumstances of which the School may not be aware. If the Chief Operating Officer is satisfied that there is a case to answer, a panel will be convened.
25. The Panel's task is to establish the facts surrounding the complaint that has been raised by considering:
 - the documents provided by both parties, and
 - any representations made by the complainant, the Head Teacher and/or the Treasurer.
26. If, after establishing the facts, the Panel considers that the complaint is valid or justified, it will uphold the complaint. If the Panel considers that the complaint is not valid or justified, it will dismiss the complaint. It will make this decision based on the evidence presented and the balance of probabilities.
27. It is not within the powers of the Complaints Panel to make or offer any financial award, nor to impose sanctions on staff, pupils or parents. However, the Panel may make recommendations on these or any other issues to the Head Teacher or to the full Council of Christ's Hospital as appropriate.
28. The Complaints Panel will consist of at least three people who were not directly involved in the matters detailed in the complaint; normally this will be two members of the Council of Christ's Hospital and at least one member who is independent of the governance, management and running of the School.
29. A hearing before a Complaints Panel should be requested in writing to the Chief Operating Officer within **five working days** of receipt of the decision being complained of. The request will usually only be considered if the procedures at Stages 1 and 2, where appropriate, have already been completed. The letter to the Chief Operating Officer should give full details of the complaint and the outcome being sought; it should also enclose all relevant documents and the full contact details of the complainant. The complaint will normally be acknowledged by e-mail or letter within **three working days** of receipt, during term time, indicating the action being taken and the likely timescale. The Chief Operating Officer will also make appropriate arrangements to provide any assistance required by the complainant, for example because of a disability.
30. The Chief Operating Officer will convene the Complaints Panel as soon as reasonably practicable, but the Panel will not normally sit during half terms or School holidays. The complainant will be informed in advance of the names and status of the members of the Panel.
31. Every effort will be made to enable the Panel hearing to take place within **20 working days** of the receipt of the request for a hearing. As soon as is reasonably practicable and, in any event, at least five working days before the hearing, the Chief Operating Officer will send to the complainant written notification of the date, time and place of

the hearing, together with brief details of the Panel members who will be present. The hearing will normally follow the procedure set out at Annex B.

32. The complainant will be invited to attend the hearing and may be accompanied by one other person such as a relative, teacher or friend. Should the person accompanying the complainant be legally qualified, they will not be present in a professional capacity. A pupil aged 13 and above may attend part or all of the hearing at the discretion of the Treasurer. Copies of any additional documents for consideration by the Panel should be sent to the Chief Operating Officer at least three working days before the hearing.
33. The hearing will be chaired by a member of the Panel, chosen from among themselves, and will be conducted in an informal manner, normally following the procedure at Annex B.
34. All statements made at the hearing will be unsworn. All those present are entitled, should they so wish, to write their own notes for reference purposes; the Chief Operating Officer, or his delegate, will be asked to take written notes of the proceedings.
35. The Chair of the Panel will conduct the hearing in such a way as to ensure that all those present have the opportunity to ask questions and make comments in an appropriate manner. The hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.
36. All those attending the hearing are expected to show courtesy, restraint and good manners or, after due warning, the hearing may be adjourned or terminated at the discretion of the Chair. If terminated by the Chair due to the conduct of the complainant(s), the original decision will stand. Any person who is dissatisfied with any aspect of the way the hearing is conducted must say so before the proceedings go any further and his/her comment will be minuted.
37. The Chair may, at his/her discretion, adjourn the hearing for further investigation of any relevant issue; this may include an adjournment to take legal advice.
38. After due consideration of the matters discussed at the hearing, the Panel will reach a decision unless there is an agreed position beforehand. The Panel's decision, findings and recommendations may be notified orally at the hearing or subsequently and shall be confirmed in writing to the complainant by e-mail or letter within **seven working days**. The decision, findings and any recommendations will be notified to the Council of Christ's Hospital and the Head Teacher and reasons for the decision will normally be given. The decision may include recommendations and will be notified to the complainant, the Chair of the Council of Christ's Hospital, the Head Teacher and, where relevant, any person about whom the complaint has been made.
39. A hearing before the Complaints Panel is a private proceeding; no notes or other records or oral statements about any matter discussed in, or arising from, the proceedings shall be made available directly or indirectly to the press, media or any third party.

Confidentiality and record keeping

40. A written record will be kept of all complaints and of whether they are resolved at Stage 1 or 2, or proceed to a Panel hearing (Stage 3) and the action taken by the School as a result of the complaints regardless of whether they were upheld or not. The number of complaints registered under the formal procedure during the preceding School year will be reported to the Council of Christ's Hospital annually, is posted on the School's

website and will be supplied to parents on request.

41. Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required by section 108 or 109 of the 2008 act; that is where access is requested by the Secretary of State or where disclosure is required in the course of a school's inspections or under other legal authority. In accordance with data protection principles, details of individual complaints will normally be destroyed following each School inspection. In exceptional circumstances, some details may be retained for a further period as necessary.

Author: SHCR/RMJB

Date of last review: November 2019

Date of next review: November 2021

Annexes:

- A. Contact details for relevant individuals and organisations.
- B. Procedure to be followed at a hearing of the Complaints Panel

CONTACT DETAILS FOR RELEVANT INDIVIDUALS AND ORGANISATIONS

Christ's Hospital

1. The following address should be used to contact:
 - Treasurer
 - Head Teacher
 - Chief Operating Officer
 - Designated Safeguarding Lead (Child Protection Officer)
 - Finance Bursar
 - Houseparents (please state the name of the house concerned)
 - Heads of Year (please identify the relevant year group)
 - School Office

Christ's Hospital School
Horsham
West Sussex
RH13 0LJ

Main School switchboard: 01403 211293

Details are also included in the termly School Calendar and on the School web site:

www.christs-hospital.org.uk

Independent Schools Inspectorate (ISI)

2. Concerns about a pupil's welfare, or complaints about a school, may be raised with:

ISI
CAP House
9 - 12 Long Lane
London
EC1A 9HA

Main switchboard: 0207 6000100

Pupil's welfare concerns: 0207 7109900

Further details at www.isi.net

West Sussex Safeguarding Children Board

3. The Local Area Designated Officer (LADO) can be contacted via:

www.westsussexscb.org.uk

Main switchboard: 0330 222 5296

PROCEDURE TO BE FOLLOWED AT A HEARING OF THE COMPLAINTS PANEL

Introduction

1. The following procedure will normally be followed by the Complaints Panel and is designed to ensure that all parties have the opportunity to present their views.

Format

2. The hearing will take the form of a “round the table” meeting, where all parties and the Panel members are present in the same room throughout. Present in the room for the hearing will be:
 - the Panel members;
 - the Chief Operating Officer;
 - the Clerk to the Panel. The Clerk will take notes of the hearing; any notes produced by the Clerk will not be verbatim and will be kept at the School as part of the confidential record of the complaint. The Chair may authorise the release of the Clerk’s notes on condition that they remain confidential;
 - the parent/guardian(s) making the complaint;
 - any person that the parent(s) have brought to accompany them; where appropriate, the pupil, if aged over 13;
 - the Head Teacher; and
 - any other appropriate member of staff.

NB: Any witnesses called by any of the above parties may be asked to make their contribution and then leave rather than staying in the room for the whole proceeding.

Suggested agenda

3. The agenda for the hearing should normally be as follows, although the sequence of events may be varied by the Panel Chair if necessary to suit the particular circumstances of the case:
 - Welcome and introductions by the Panel Chair.
 - Parent(s) present the complaint. Where two parents are in attendance it is often more helpful if one parent undertakes the responsibility of presenting and answering any questions. If the parent(s) are accompanied at the hearing, they will be asked at the start of the proceeding to decide whether they or their companion will present the complaint.
 - The Panel members and Head Teacher may ask questions of the parent(s) or their companion for clarification. Questions should be put through the Chair of the Panel who can intervene if he/she thinks that questions are inappropriate or are straying towards a cross-examination.
 - The Head Teacher puts his case, explaining the reasons for his decision and consideration, calling witnesses if necessary.
 - The parent(s) and Panel members may ask questions of the Head Teacher for clarification. Again, any such questions should be put through the Chair of the Panel who can intervene if necessary.
 - The Head Teacher is invited to make any further relevant points.
 - The parent(s) are then invited to make any further relevant points.
 - When the Panel members are satisfied that they have established the facts sufficient

for them to make a decision, the Chair may bring the hearing to a close and inform the parties that they will be notified in writing of the decision, normally within seven working days.

- The parent(s) and the Head Teacher leave, together with their companion, if any and any other witnesses still present.

Legal advice

4. If, during the course of the hearing, the parent(s) introduce legal points on which the Panel members feel they will need advice, they will consider one of two options:
 - the Panel may decide to take a careful note of points made and to consider the advice of the School's lawyers before making their final decision, or
 - if the Panel feels that an immediate response is required, they may agree to adjourn the hearing to take telephone advice from the School's lawyer.