



Abbey Gate College

POLICY: Complaints	
Scope	Whole College
Responsibility	Head
Review & Update	November 2021
Governor Approval	Andrew Grime

CONTENT HYPERLINKS

[Policy Statement \(1\)](#)

[Policy Statement \(2\)](#)

[Key Personnel](#)

[Definitions \(1\) – Applicability](#)

[Definitions \(2\) – Concern or Complaint](#)

[Definitions \(3\) – Matters Outside of this Policy's Applicability](#)

[Practice \(1\) – Informal Concerns or Complaints \(Stage 1, led by Appropriate Staff\)](#)

[Practice \(2\) – Formal Complaint \(Stage 2, led by the Head\)](#)

[Practice \(3\) – Formal Complaint \(Stage 3, led by the Chair of Governors\)](#)

[Practice \(4\) – Confidentiality](#)

[Practice \(5\) – Maintaining Records](#)

[Practice \(6\) - Alternative Dispute Resolution \(ADR\) Process](#)

[Practice \(7\) – Timescales](#)

[Practice \(8\) – Number of Formal Complaints](#)

Policy Statement (1)

Abbey Gate College prides itself on the quality of teaching and pastoral care provided to its pupils. It recognises that parents may, from time to time, have concerns about the progress, achievement, behaviour or welfare of their child. Parents are encouraged to make those concerns known to staff so that they can be addressed in partnership with the College.

The College will take all concerns and complaints seriously and will make every effort to deal with complaints informally, at an early stage, in the spirit of continued respect and partnership. Parents can be assured that all concerns and complaints will be treated confidentially. The College is here for our pupils and their families, and parents can be assured that their child will not be penalised for a concern or complaint that they (or their child) raises in good faith.

This is a three-stage process. In most cases, any concern or complaint, regardless of whose attention to whom it is initially brought, should be discussed informally at stage 1, before being submitted to a formal process. Complaints concerning the Head may proceed directly to formal process at stage 2 and will be managed by the chair of the College's Governing Body (CGB).

Policy Statement (2)

- 1) This policy applies to all members of the Abbey Gate College community, including those in our EYFS setting.
- 2) Abbey Gate College implements this policy through adherence to the procedures set out in the rest of this document.
- 3) This policy is made available to relevant parties on the College website at www.abbeygatecollege.co.uk. This policy should be read in conjunction with the College's *Admissions*, *Data Protection* and *Safeguarding* policies.
- 4) Abbey Gate College is fully committed to ensuring that the application of this policy is non-discriminatory in line with the UK Equality Act (2010). Further details are available in the College's *Equal Opportunity* policy document.
- 5) This policy is reviewed at least annually, or as events or legislation changes require, by the College Leadership Team and the Governing Body. The deadline for the next review is no later than 12 months after the most recent review date indicated above.
- 6) The most recent updates were made on account of personnel changes.

Key Personnel

- 1) Craig Jenkinson: Head
- 2) Katie Simons: Head's PA (Complaints Co-ordinator for Senior School)
- 3) Marie Hickey: Head of Infant & Junior School (Complaints Co-ordinator for IJS)
- 4) Andrew Grime: Chair of Governing Body

Definitions (1) – Applicability

- 1) This policy deals with concerns or complaints from parents of pupils, who are currently registered with the College.
- 2) This policy also applies to parents of former pupils, who are no longer registered with the College, on the sole provision that the specific complaint was initially raised when the pupil was still registered with the College.

Definitions (2) – Concern or Complaint

- 1) For the purposes of this procedure, “concerns” are defined as a worry, uncertainty, or suggestion over any aspect of the College’s provision, which is considered substantive enough to contact the College directly and seek reassurance, clarification, or to be heard.
- 2) A “complaint” can be any matter in relation to the College’s provision about which a parent is dis-satisfied and seeks a response or action by the College.

Definitions (3) – Matters Outside of this Policy’s Applicability

The procedures of this policy do not apply to:

- 1) Safeguarding concerns regarding children or allegations of abuse made against teachers, and other staff, including supply teachers and volunteers, which are managed under the College’s *Safeguarding Policy* and are distinct from formal staff disciplinary, grievance or capability proceedings.
- 2) Appeals regarding a permanent exclusion, required removal and suspension, which are managed in accordance with Stage 3 of this procedure.
- 3) Appeals against admissions, if applicable, should be raised directly with the Head.
- 4) Where the complaint concerns a third party or service used by the College, please complain directly to the third party or service provider.
- 5) Appeals made to examination boards with regards to grades should follow the specific Appeals Process, as detailed by the College’s Examination Officer.
- 6) For ‘Subject Access Requests’ please refer to the *Data Protection Policy*.
- 7) For whistleblowing complaints, please refer to the *Whistleblowing Policy*.

Practice (1) – Informal Concerns or Complaints (Stage 1, led by Appropriate Staff)

- 1) We aim to deal with all matters of concern or complaint raised by parents or carers promptly, fairly, openly, and without prejudice.
- 2) We aim to encourage the informal and early resolution of any concerns or complaints at Stage 1, as far as it is possible.
- 3) The College prefers and recommends discussion in person, face to face, as the most effective way to listen to each other and help. Concerns and complaints are more likely to be resolved informally and to everyone’s satisfaction when all parties commit to working together towards a resolution in the spirit of co-operation. For example, it helps to understand what a satisfactory outcome would look like to the complainant.
- 4) Any concern or complaint should be directed and will be listened to by an appropriate member of staff:
 - a. the class teacher (Infant & Junior School) or form tutor (Senior School) [initial contact for general matters – academic, pastoral, co-curricular, College provision/experience]
 - b. the Head of Department [escalated contact for academic matters]
 - c. the Head of Year [escalated contact for pastoral matters]
 - d. a member of the College Leadership Team (as appropriate to the nature of the complaint).
- 5) Concerns or complaints at this initial stage may be raised directly in conversation (eg. personal meeting, telephone) or in writing (eg. email to admin@abbeygatecollege.co.uk, letter).

- 6) Where further information is needed, the College will aim to respond in a timely and sensitive manner.
- 7) We aim to resolve matters at Stage 1 within 14 working days.
- 8) When managing a concern or complaint informally at Stage 1, parents may, if they are not satisfied with the response, escalate their complaint to the formal stage of this procedure.
- 9) Mediation meetings may be helpful in resolving issues of concern or in mending relationships and moving forward in partnership with parents; however, these sit outside of the formal complaints process.
- 10) A record of any Stage 1 concern or complaint will be held by the respective Complaints Co-ordinator, if it is reasonably and professionally believed that the substance of the concern or complaint justifies a centralised log, and may potentially be helpful for the College in informing future practice or improvement. (Ref. Practice 4).

Practice (2) – Formal Complaint (Stage 2, led by the Head)

- 1) If a resolution has not been achieved informally, despite reasonable and purposeful joint efforts by the College and the complainant, the matter may be escalated to a formal level.
- 2) Stage 2 is a formal investigation and response.
- 3) Stage 2 complaints should be made in writing to the Head, (or the Chair of Governors if the complaint concerns the Head – see below) who will investigate, or delegate investigation appropriately, and ensure a formal response is provided.
- 4) A Stage 2 formal complaint should be raised within 14 working days (a working day is defined as a day during term time when the College is in session) of the most recent informal discussion/intervention.
- 5) In most cases, parents will be asked to discuss the matter in person, normally within 7 working days (a working day is defined as a day during term time when the College is in session) of receiving the complaint, or as soon as is practicable during school holidays. If possible, a resolution will be reached at this stage.
- 6) If it is necessary for the College, through designated Senior Staff, to carry out further investigations; these will be undertaken promptly and within 7 working days (a working day is defined as a day during term time when the College is in session), or as soon as is practicable during school holidays.
- 7) At any point during this stage, if and only if the College and the complainant are in full and comfortable agreement, the matter may be de-escalated to Stage 1 and resolved as such.
- 8) Written records of all meetings and interviews held in relation to a formal complaint will be kept. (Ref. Practice 4)
- 9) Once the Head (or designated Leadership Team member) 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 by letter or e-mail, within 14 working days (a working day is defined as a day during term time when the College is in session) of the written complaint being received, or as soon as is practicable during school holidays. Reasons will be given for the decision.
- 10) If the complaint is against the Head, the Chair of Governors will call for a full report from the Head and to receive all the relevant documentation. The Chair of Governors may

also call for a briefing from members of staff, and will in most cases speak to/meet with the parents to discuss the matter further. Once the Chair of Governors 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 by letter or e-mail, within 14 working days (a working day is defined as a day during term time when the College is in session) of the written complaint being received, or as soon as is practicable during school holidays. Reasons will be given for the decision.

- 11) If the complainant remains dissatisfied with the outcome at Stage 2, the College's Governing Body will review the complaint at Stage 3.

Practice (3) – Formal Complaint (Stage 3, led by the Chair of Governors)

- 1) If parents seek to invoke a panel hearing (following a failure to reach an earlier resolution), the Chair of Governors will convene a Complaints Panel to consider the complaint.
- 2) Parents must request a panel hearing within 5 school working days (a working day is defined as a day during term time when the College is in session) of receiving the formal decision from the Head (or Chair of Governors as appropriate).
- 3) The Chair of Governors will acknowledge the complaint in writing to the Parents and schedule a hearing of the Complaints Panel to take place as soon as practicable and ideally within 14 working days (a working day is defined as a day during term time when the College is in session).
- 4) The Panel will consist of at least 3 persons not involved in the matters detailed in the complaint. The Stage 3 panel will include independent representation; it is a requirement of the Education (Independent School Standards) Regulations 2014 that, where there is a panel hearing of a complaint, one panel member is independent of the management and running of the College. Panel members will be appointed by the Chair of Governors on behalf of the Board of Governors and will have available to them, in advance of the Panel hearing, all correspondence and meeting notes as are relevant to the complaint.
- 5) If the 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 7 working days (a working day is defined as a day during term time when the College is in session) prior to the hearing.
- 6) The parents may wish to be accompanied to the hearing(s) by a witness (i.e. fellow parent or friend). Legal representation will not normally be appropriate. The parent must inform the panel of the identity of the witness prior to the hearing.
- 7) If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation.
- 8) Where further investigation is required, the Panel will decide how it should be carried out. After due consideration of all facts they consider relevant, the Panel will reach a decision and may make recommendations, which it shall complete within 7 working days (a working day is defined as a day during term time when the College is in session) of the Hearing.
- 9) The Panel will write to the parents informing them of its decision and the reasons for it. The decision of the Panel will be final. A copy of the Panel's findings and, if any, recommendations will be sent in writing to the parents and, where relevant, the person

complained about. Copies will be available for inspection on the school's premises by the Governors and the Head.

Practice (4) – Confidentiality

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. 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 108 or 109 of the 2008 Act requests access to them.

Confidentiality should be maintained all times by everyone involved. Complaints are not to be discussed externally by parents, including via social media. Actions taken in relation to College staff that arise from complaints will remain confidential to the College and the member of staff concerned. For these reasons of confidentiality, complainants will not be informed of the outcome of any disciplinary action against any member of staff, arising from a complaint.

Wherever a concern indicates that a child's wellbeing or safety is at risk, the College is duty bound to act on this, however, which may include reporting this immediately to the local authority. Any action taken will be in accordance with the College's *Safeguarding Policy*, which can be found on the College website.

Practice (5) – Maintaining Records

Notes may be made to support the informal management of concerns or complaints and the College may also keep an informal record of any meeting held or any agreed action to be taken. These will be processed by the College in line with the relevant privacy notice. Records taken and used throughout the complaints process, including correspondence, notes of meetings, telephone calls etc., will be kept securely and in accordance with the principles of the General Data Protection Regulation (GDPR) and Data Protection Act 2018.

Any personal information recorded in regard to a concern or complaint will be kept in accordance with the principles of the General Data Protection Regulation (GDPR) and Data Protection Act 2018 (see the ICO website) and in accordance with the College's Privacy Notice and Data Protection Policy. The College processes data in accordance with its Privacy Notice. When dealing with concerns or complaints, the College (including any panel member appointed under the Stage 2/3 process) may process a range of information, which is likely to include the following:

- a) The name of the complainant;
- b) The date and time at which the complaint was made;
- c) The details of the complaint;
- d) The desired outcome of the complainant;
- e) How the complaint is investigated (including written records of interviews held);
- f) Findings and recommendations of investigations;
- g) Any action taken;
- h) The complainant's response (satisfaction or further pursuit of complaint). This may include 'special category personal data' (including sensitive data such as information relating to physical or mental health) where this is necessary owing to the nature of the complaint.

Abbey Gate College will provide ISI/Ofsted, upon request, with a written record of all complaints relating to the EYFS provision, made during any specified period, and the action which was taken as a result of each complaint. If parents believe the school is not meeting the EYFS requirements, they may contact Ofsted and/or ISI. Contact details are found below.

Ofsted
Piccadilly Gate
Store Street
Manchester
M1 2WD
General helpline: 0300 123 1231
Email: enquiries@ofsted.gov.uk

ISI
CAP House
9-12 Long Lane
London
EC1A 9HA
Tel: 020 7600 0100
Email: concerns@isi.net

The record of complaints is kept for at least 7 years and may be kept for longer, if there is a safeguarding aspect to the complaint.

Practice (6) - Alternative Dispute Resolution (ADR) Process

From 1 October 2015, the College will provide parents at the conclusion of the final stage of the complaints procedure with the name and address of a certified Alternative Dispute Resolution (ADR) entity, competent to deal with any unresolved dispute. The College is not obliged to enter into this ADR process themselves, but will inform the parents at the time if it will be engaging in the ADR process.

The ADR entity that is recommended by the school is certified by the Chartered Trading Standards Institute. The contact details are below.

Ombudsman Services
3300 Daresbury Park
Warrington
WA4 4HS

Tel: 0330 440 1624

<https://www.ombudsman-services.org/about-us/contact-us>

There may be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue or a closely related issue that has already been dealt with under this policy, the Chair of Governors will inform parents in writing that the procedure has been exhausted and that the matter is now closed. If the complainant writes again on the same issue, then the correspondence may be recognised as vexatious and there will be no obligation on the part of the College to respond to any further correspondence on the same issues or a closely related issue.

Whilst we understand that some matters may be potentially upsetting, if the conduct of the complainant is inappropriate, threatening or abusive (either in person or in written form), the

College reserves the right to regard the matter as a vexatious complaint and there will be no obligation on the part of the College to respond.

Practice (7) – Timescales

All complaints will be handled within clear and reasonable timescales, as detailed. Please note that, for the purposes of this procedure, working days refers to weekdays (Monday to Friday) during term time, excluding bank holidays. This means that during school holidays it may take longer to resolve a complaint, although the College will do what is reasonably practicable to avoid undue delay.

Timescales for investigating and/or responding to a complaint may also need to be extended in the event of a force majeure, a pandemic or as the result of enforced government restrictions. The College will inform parents if there is to be a delay to the anticipated timescales, for instance because of disruption to the College, staff absence or site closure.

Parents are expected to proceed with their complaint in a timely and reasonable manner. To enable effective review, the College, therefore, expects complaints to be raised within 3 months of an issue arising. Complaints outside this timeline will only be considered in exceptional circumstances. These may include (but are not limited to) subsequent information about the complaint coming to light and a valid explanation of why it was not possible to give notification of the complaint sooner. In such cases, the Head/Chair of Governors (as appropriate) will review the circumstances, may seek advice, and determine whether the complaint is to be considered under this policy.

Depending upon the circumstances, the College may, acting reasonably, treat a complaint as closed if a parent has not proceeded within the timeframes set out in this policy.

Practice (8) – Number of Formal Complaints

In accordance with this procedure and regulatory compliance, the number of formal complaints at Stage 2 or Stage 3 of the Complaints Procedure during the preceding academic year was 0 (zero).

Authorised and approved on behalf of the Board of Governors by:



Mr Andrew Grime - Chairman of the Board