

Bethany School Complaints Policy

November 2022

INTRODUCTION

Bethany School operates as a partnership between home and school and seeks to work together with parents in educating their children. One crucial factor in this partnership is clear, effective and open communication between parents, the school and Governors. The more active and involved parents are in the life of the school, the more effective we are in communicating and fulfilling the aims of the school. Nevertheless, it is still recognised that there may be times when people have concerns which require further action, and Bethany School takes all complaints seriously. If disputes occur, they will be taken seriously, dealt with promptly, and resolved in a Biblical manner.

The purpose of the Complaints Procedure is to reassure parents and others that:

- Any complaint against the school will be dealt with in a fair, open and responsive way, with the aim of achieving a speedy and satisfactory resolution
- The school recognises that a willingness to listen to questions and criticism and to respond positively, can lead to improvements in school practices and provision for pupils.

This procedure has been drawn up using the *The Education (Independent School Standards) Regulations, 2014*, to ensure that the school deals with the handling of complaints effectively.

This policy is available on our website or from the school office.

The following Biblical principles will guide our policy and practice:

- ◆ **We will make every effort to resolve complaints and disputes to the satisfaction of all sides.**
“Make every effort to live in peace with everyone and to be holy; without holiness no one will see the Lord. See to it that no one falls short of the grace of God and that no bitter root grows up to cause trouble.” (Hebrews 12: 14-15)
- ◆ **We will always try to resolve complaints and disputes within the school community.**
“If any of you has a dispute with another, do you dare to take it before the ungodly for judgement instead of before the Lord’s people?” (1 Corinthians 6: 1)
- ◆ **We will not consider that the School is always right and we hope others will have the same attitude towards their own views.**
“For by the grace given me I say to every one of you: Do not think of yourself more highly than you ought, but rather think of yourselves with sober judgement, in accordance with the measure of faith God has given you.” (Romans 12: 3)
- ◆ **We expect that forgiveness will be a part of the resolution of any complaint whatever the outcome for the parties involved.**
“Bear with each other and forgive one another if any of you has a grievance against someone. Forgive as the Lord forgave you.” (Colossians 3: 13)
- ◆ **We all make mistakes.**
“Not many of you should become teachers, my fellow believers, because you know that we who teach will be judged more strictly. We all stumble in many ways. Anyone who is never at fault in what they say is perfect,…” (James 3: 1-2)
- ◆ **If a matter concerns a breach of the Law, people should contact the appropriate authorities. (See also Safeguarding Policy).**
“Let everyone be subject to the governing authorities, for there is no authority except that which God has established.” (Romans 13: 1)

- ◆ **Established procedures should be followed so that disputes can be settled quickly and fairly.**

“Everything should be done in a fitting and orderly way.” (1 Corinthians 14: 40)

SCOPE OF THE PROCEDURE

It is important to be clear about the difference between a concern and a complaint. The DfE guidance explains the difference between a concern and a complaint:

A Concern

- A concern is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”

Bethany school seeks to take information about concerns seriously at the earliest stage in order to work well with parents and reduce the number of issues that develop into informal or formal complaints. It is always better to try to resolve a concern, if at all possible, informally, without the need for formal procedures. The majority of issues will be resolved in this informal way and the requirement to have a Complaints Procedure need not in any way undermine efforts to resolve a concern informally. Concerns which are discussed informally and are addressed, or are being addressed are not recorded as part of our complaints procedure.

A Complaint

- A complaint is defined as “an expression of dissatisfaction, however made, about actions taken or a lack of action”. A complaint may be ‘informal’ initially and be resolved, or progress to ‘formal’ using the procedure below.

A complaint is defined as a clear statement of dissatisfaction about any specified aspect of the school's work. This procedure deals with specified day-to-day complaints which fall outside the scope of serious complaints which must be dealt with by specific employment procedures e.g. allegations of professional abuse, criminal offences or those that are potentially staff disciplinary issues. (See staff code of conduct policy)

Complainants may be **anyone** e.g. parents, teachers, guardians, grandparents, neighbours of the school or anyone with an interest in the work of the school. Informal complaints may be made by telephone, email, in person, or be written. Formal complaints should be made in writing, either by email or letter.

SUMMARY OF THE COMPLAINTS PROCEDURE

A person has a dispute or concern



Approach the person involved and attempt a resolution informally and privately



Bethany school members may discuss concerns with the Senior Leadership Team (SLT) at any time. At this point reassurances may be made, or if deemed appropriate, intervention can be put in place to resolve the issue



If the matter is not resolved, make an ‘informal complaint’ face to face, verbally or via email, and discuss the matter with the Senior Leadership Team (Stage 1 of Complaints Procedure)



If the matter is not resolved, make your ‘formal complaint’ in writing to the Chair of Governors by email or letter (Stage 2 of Complaints Procedure). The Chair and another Governor will undertake an investigation, draw conclusions and make recommendations



If the matter is not resolved, write to the Governors who will convene a panel of independent parties to discuss the complaint and make recommendations. (Stage 3 of Complaints Procedure)

Resolution of Complaints and Disputes

Any person who has a complaint or is in dispute should firstly determine the appropriate procedure to be followed. Normally the complainant should first approach the person they have a complaint against to attempt a resolution. The issue may be resolved there and then.

Such conversations should be informal and private and used to discover the facts.

“Without wood a fire goes out; without gossip a quarrel dies down.” Proverbs 26:20

When problems first occur, our personality and temperament can be affected by anger. It would be appropriate to take time to “*put off all these: anger, wrath, malice, ...*” and “*put on tender mercies, kindness, humility, meekness, longsuffering; bearing with one another ... (Colossians 3: 1-17)*” before this first meeting.

Please note, a parent should not directly approach a pupil about a complaint and complaints should not be made anonymously.

If the concern is serious, or has potentially serious implications, then this should be referred to senior staff.

If the matter has not been resolved at the initial stage, below are the three defined stages to the official Complaints Procedure. At each stage it is helpful to clarify exactly who will be involved and what will happen.

Record keeping

Records of all conversations and meetings to resolve formal complaints will be kept. If necessary, the Governors will meet to discuss the complaints, and minutes will be taken.

To help prevent recurring complaints, copies of correspondence and notes will be kept on file in the school's records, separately from individual pupil records.

If at any stage in the procedure it becomes apparent that the complaint falls outside of this general Complaints procedure, complainants will be informed.

There may be rare occasions when, despite all the stages of the procedure having been followed, a party remains dissatisfied. If the party seeks to re-open the same issue, the school reserves the right to inform him/her in writing that the procedure has been exhausted and the matter is closed.

All 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 109 of the 2008 Act requests access to them.

STAGE 1: INFORMAL - Complaint investigated by SLT

The *Complaints Standards* state that a Complaints Procedure should “allow for a complaint to be made and considered initially on an informal basis.”

On the occasions where a person has raised a concern directly with school staff without any formality, it may be unclear whether the person is making a complaint, seeking information, or has misunderstood a situation. In any event, the school aims to resolve the concern at this point in a speedy and effective way. Records will still be kept of these concerns using the usual communication records. Bethany school members are always welcome to approach SLT to discuss a concern which may be addressed by reassurance or intervention. Clarification may be sought at this time about whether this is sufficient to resolve the issue, or whether a complaint is being made under Stage 1 of the procedure.

If the concern is not resolved at this time and a complaint is confirmed, the opportunity to discuss the matter with the Head Teacher/Deputy Head Teacher will be given. If the complaint involves the Head teacher, the complainant may discuss the issue with the Chair of Governors as an informal complaint. The complaint may be made verbally, face-to-face or via email.

Usually, the Head Teacher will then discuss the issue with the complainant and those involved, with the aim of resolving the complaint as soon as possible. The school will respect the views of a complainant who indicates that they would have difficulty discussing a complaint with a particular member of staff. The Head Teacher may refer the complaint to the Deputy Head Teacher or directly to the Chair of Governors.

It is in everyone's interest that complaints are resolved at the earliest possible stage. The parent will be informed of the outcome of the investigation and what action, if any, the school proposes to take.

The matter should be responded to as soon as possible, and be addressed within **14 school days** of the initial verbal or written complaint.

If this informal process has been exhausted and no satisfactory solution has been found, the complainant will be asked by the member of staff dealing with the complaint whether he/she wishes the complaint to be considered formally at stage two of this procedure. Either party will be able to take the complaint to the next stage.

If wishing to proceed, the complainant will be invited to put the complaint in writing to the Chair of Governors.

A confidential record of complaints reaching this level and beyond will be kept by the Head Teacher. The record will state whether the complaint was resolved at the preliminary stage or proceeded to the next stage.

STAGE 2: FORMAL - complaint referred to Governors for further investigation

If either party is unhappy with the SLT's decision in stage 1, they should write to the Chair of Governors outlining their complaint within **14 school days** of the response at the previous stage. They may use the form found in Appendix 4.

The Chair will inform the Governors that a complaint has been made, but not discuss the details. One or two additional Governors will be nominated at this time to proceed with the complaint, alongside the Chair of Governors. The Chair, or another Governor will acknowledge the written complaint within **3 school days** of receipt and provide an opportunity to meet the parties to discuss the complaint within **14 school days**.

The Chair, assisted by the additional Governor/s, will investigate the complaint by meeting with both parties as a mediator or to establish the facts, making sure that both parties understand them. They will suggest a way forward, or make a decision as to what each party should do. If an investigation is required into the facts of the dispute, the Chair of Governors will keep both parties informed as to progress during consideration of the complaint. A written response outlining the findings and outcome will normally be made within **14 school days** of receipt of the complaint. If this is not possible, a letter will be sent explaining the reason for the delay and providing a revised target date.

The written response will include full reasons for the conclusions reached by the Governors and what action, if any, the school proposes to take to resolve the matter.

The Governors may reach one of several outcomes at this stage and will make the school's final decision on the matter.

They may

- Reject the complaint
- Uphold the complaint, or
- Investigate the claim further.

If the complainant still remains dissatisfied, they will be advised that, in order to progress the complaint further at Stage 3, they must notify the Governors in writing **within 14 school days**. The Chair will advise the full Governing Board of the situation.

The Governors will then ensure that the complainant is offered the opportunity of taking the complaint to a Complaints Appeal Panel at Stage 3 of this Procedure.

The School will publish the numbers of complaints brought to the Governors under the formal procedure (Stage 2) during the preceding year on the website. (See Appendix 1)

STAGE 3: Review by the Governors Complaints Appeal Panel

Complaints only very rarely reach this level. However, if the complaint is still not successfully resolved after Stage one and Stage two, a Complaints panel will be set up by the Governors of at least three persons, to consider the complaint. A request for a hearing should be made, in writing, to the Chair of Governors within **14 school days** of being informed of the Governors final decision at Stage 2.

A written acknowledgement of the complaint and the request for it to be heard at Stage 3 of the Procedure will be sent to the complainant by the Panel within **3 school days**.

The letter will inform the complainant that the complaint will be heard by the Panel as soon as possible and usually within **14 school days** of receiving the request. It will also inform the complainant of the right to submit any further documents other than the complaint form and that these must be made available to the Complaints Panel within **7 school days** of receipt of the acknowledgement letter. The right to call witnesses to the meeting, subject to the approval of the Complaints Panel and the right of the complainant to be accompanied by a companion of her/his choice will also be explained in the letter. All parties have the right to attend and be accompanied at a panel hearing if they wish.

The Chair of Governors will nominate members of the complaints panel which may consist of three to five members and will be made up of a combination of the following:

- The Chair of Governors as chair of the complaints appeal panel
- At least three people who were not directly involved in the matters detailed in the complaint, including one person independent of the running of the school, nominated by the Chair of Governors
- A member of the school's Governing Board (see Appendix 2).

The Governors have a reciprocal arrangement with Bradford Christian School to provide members of an independent panel to attend a hearing of the complaint.

The Complaints Panel will send a copy of the letter of acknowledgement of the complaint to all the members of the Complaints Panel, and the Head Teacher. They will request a written report of the investigations up to this point from those involved at Stage 1 and 2 of the process, within **7 school days** of receipt of the letter. The right to call witnesses, subject to the approval of the Chair, will also be explained.

The Complaints Panel is free to make its own findings and recommendations prior to the meeting.

The Complaints Panel will then convene a meeting, having consulted with all parties on convenient times. The date, time and venue for the meeting will then be confirmed at least **7 school days** in advance.

The names of all parties and witnesses (if any) to attend the meeting and all relevant documents to be referred to at the meeting will also be provided by the Complaints Panel to: the complainant; the Chair of the Governors, the Head Teacher, and each panel member. This will be provided as soon as possible and, in any event, at least **7 school days** prior to the meeting.

The meeting will be held following the procedures for hearing a complaint detailed in Appendix 3.

A written decision will be sent to the complainant and the Complaints Panel and/or Head Teacher within **7 school days** of the hearing. The letter will explain that the decision of the Complaints Panel is final but that complaints can be taken to the Secretary of State for Education and Skills under the Education Act 1996, on the grounds that:

- A Governing Body is acting or proposing to act unreasonably; or
- The Governing Body has failed to discharge its duties under the Act.

All outcomes and copies of those findings and recommendations are confirmed in writing to both parties in accordance with the Complaints Procedure. This may be via electronic mail or otherwise given to the complainant and, where relevant, the person complained about; and made available for inspection on the school premises by the Chair of Governors and the Head Teacher.

Records will be kept on file from the date of the resolution of the complaint plus 6 years, and of whether they are resolved at the preliminary stage or proceed to a panel hearing in the 'Complaints' folder at the school. All 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 109 of the 2008 Act requests access to them.

Policy adopted by governors: November 2022

Policy due for update/review: 2025

APPENDIX 1
Bethany School Complaints Policy
Annual Head Teacher's Report to the Governing Body

To be completed annually and reported to the first Governors meeting of the new school year, before being published on the Bethany School Website.

Numbers of complaints brought to the Governors under the formal complaints procedure during the year:

September 20__ – August 20__ =

Signature: _____

Date:

Date of next report: September 20__

APPENDIX 2

Composition of the Governors Complaints Panel

The complaints panel may consist of three to five members and will be made up of a combination of the following:

- The Chair of Governors as chair of the complaints appeal panel
- At least three people who were not directly involved in the matters detailed in the complaint, including one person independent of the running of the school nominated by the Chair of Governors
- A member of the school's governing body

The Governors may wish to consider the advantages of having a parent as a member of the panel.

No member of the Complaints Panel should have had prior involvement with the complaint. As the Chair of the Governors may be involved at an earlier stage in the procedure (particularly where the complaint is about the Head Teacher) it may be wise not to include the Chair as a member of the Complaints Panel, to avoid any possible reference to the Chair being "tainted".

It is not considered appropriate for the Head Teacher to be a member of the Complaints Panel. The role of the Head Teacher would be to attend the panel hearing to give evidence and s/he may choose to invite staff directly involved in matters raised by the complainant (subject to the approval of the Chair of the Complaints Panel).

APPENDIX 3

Governors Complaints Panel Procedures for Hearing the Complaint

Introduction

The aim of the meeting is to resolve the complaint and achieve reconciliation between the school and the complainant. The Chair of the Complaints Panel will ensure that the meeting is properly minuted.

Although the meeting will follow the structured order below, given potential sensitivities and anxieties, the Chair will endeavour to ensure that the proceedings are as informal as possible and that all parties are put at their ease. The introduction of new information or witnesses, previously not notified to all parties, would be a reason to adjourn the meeting so that everyone has time to consider and respond to the new information.

Order of Meeting

1. The Chair welcomes the complainant and his/her companion and introduces the Complaints Panel.
2. The Chair explains the purpose of the meeting, the procedure, and that all written evidence has been made available to all parties.
3. The complainant/companion explains the complaint, calling in witnesses if appropriate.
4. The Complaints Panel may question the complainant/companion and witnesses.
5. The complainant and companion retire from the meeting.
6. The Chair welcomes the Head Teacher, or other staff members (where the complaint has been addressed by any of these persons at stage 2).
7. The Chair explains the purpose of the meeting, the procedure, and that all written evidence has been made available to all parties.
8. The Head Teacher, or other staff members present a response to the complaint, including action taken to address the complaint at Stage 1 and 2 of the procedure and calling witnesses, if appropriate.
9. The Complaints Panel may question the Head Teacher, or other staff members.
10. The Head Teacher, or other staff members retire from the meeting.
11. The complainant, together with his/her companion, is invited back into the room to make a final statement, and then retires.
12. The Head Teacher, or other staff members where applicable, are invited back into the room to make a final statement, and then retire.
13. The Complaints Panel considers the complaint, using its own findings and recommendations if appropriate, and reaches a unanimous or majority decision. The Complaints Panel also decides what action (if any) to take to resolve the complaint and, if appropriate, recommends changes to ensure similar complaints are not made in future.
14. When a decision has been made, the Chair recalls the complainant, Head Teacher, or other staff members and each is informed of the outcome and any action to be taken.

15. All outcomes and copies of those findings and recommendations are confirmed in writing to both parties in accordance with the Complaints Procedure. This may be via electronic mail or otherwise given to the complainant and, where relevant, the person complained about; and made available for inspection on the school premises by the proprietor and the Head Teacher.

16. Records will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing in the 'Complaints' folder at the school

17. All 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 109 of the 2008 Act requests access to them.

APPENDIX 4

Form to notify Formal School Complaint (Stage 2 and/or Stage 3)

Child's Name (to whom issue relates) _____

Class Teacher _____

Complainant Name _____

Contact details (including mobile _____

Telephone no. if appropriate) _____

Details of Complaint:

(Please be as specific as possible e.g., giving dates, who was involved and where etc.)

Please attach continuation sheet/additional information if you wish

What would you like to see done to resolve your complaint and bring the matter to an acceptable closure for yourself and the school?

Signed ----- Date -----

Please return the completed form to the Chair of Governors at the school. Records will be kept on file in the 'Complaints' folder at the school.