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## Complaints Policy

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Name of owner/author	H
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## 1 Policy Statement

At Birkdale School we aim to work in close partnership with parents and ensure relationships are based on mutual respect. To this end, we want to know when things are, in the view of parents and/or pupils, not going right. If parents have any concerns about any aspect of their child's education, we ask that they contact a member of staff as soon as possible. Parents are assured that all such expressions of concern will be treated seriously and followed up courteously and promptly. This complaints policy and procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Birkdale School about any provision of facilities or services that we provide.

At Birkdale School we:

- Define a complaint as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.
- Define a concern as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.
- Make every effort to deal with concerns informally and at an early stage, in the spirit of partnership
- Ensure that concerns and complaints are dealt with in line with the procedures set out in this document
- Ensure that, where appropriate, a full and fair investigation of the issue is undertaken
- Resolve concerns and complaints within twenty working days of the lodging of the concern or complaint. However, although we make every effort to keep to this timescale in all instances, we may need up to an additional fourteen working days where the twenty working day period falls during or across school holidays.
- Ensure that complaints are resolved either to the complainant's satisfaction or with an otherwise appropriate outcome which balances the rights and duties of pupils
- Ensure that no-one, including pupils, is penalised for making a complaint in good faith
- Keep a written record, for at least three years, of all complaints, the action taken and at what stage they were resolved (Note: This information is provided to ISI or Ofsted at their request)
- Review regularly, at senior management level, the written record of complaints and their outcomes
- Keep confidential all records relating to individual complaints except where the Secretary of State or a body conducting an inspection under Section 162A of the Education 2002 Act, as amended, requests access to them.
- Deal with complaints made by parents of past pupils using this policy provided that the complaint was raised when the pupil was still registered as such.
- Do not use this policy to cover complaints about exclusions.
- Parents and pupils are also free to make a complaint directly to ISI and/or (for Early Years and Foundation stage) OFSTED. Relevant contact details are set out below.

ISI: CAP House, 9-12 Long Lane, London EC1A 9HA Phone: 020 7776 8849 or e-mail info@isi.net

OFSTED: Piccadilly Gate, Store Street, Manchester M21 2WD Phone: 0300 123 1231 or e-mail enquiries@ofsted.gov.uk

For the purposes of this policy, working days are deemed to be Monday to Friday during school term time excluding bank holidays. Details of school term dates are available from the school website. The school will attempt to resolve complaints that are made during holidays as soon as is practicable, but this will be dependent on the availability of relevant members of staff.

Birkdale School seeks to implement this policy through adherence to the procedures set out in the rest of this document.

This policy applies to all members of our school community including those in our EYFS setting. Birkdale School is fully committed to ensuring that the application of this policy is non-discriminatory in line with the Equality Act 2010. Further details are available in the school's Equality, Diversity and Inclusion Policy. This policy is available to relevant parties on our website and on request.

The record of all written complaints and their outcomes is reviewed regularly by the Head to identify whether review or change in practice is needed and so that patterns can be identified and appropriate interventions made.

Birkdale School believes in providing to its pupil's good quality teaching and pastoral care. However, if parents do have a complaint, they can expect it to be treated by the School in accordance with this Procedure.

A written record is kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing. A written record is also kept of the actions taken by the school as a result of formal complaints (regardless of whether they were upheld).

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except in so far as is required of the school by paragraph 7(k) of the Education (Independent Schools Standards) Regulations 2015; where disclosure is required where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access to them.

The complaints procedure applies to past pupils if the complaint was initially raised when the pupil was still registered.

A copy of this procedure is available for inspection by parents or prospective parents at the School during the school day.

## **2 Procedure**

It is hoped that most concerns and complaints will be resolved quickly on an informal basis, following the procedure set out below. However, should a concern remain unresolved individuals are invited to raise a formal complaint following the complaints procedure below.

### **2.1 Allegations of Abuse**

Where there is an allegation or suspicion of abuse or any potential child protection issue, the School will always make a referral to the relevant local social services department in accordance with our Safeguarding and Child Protection Policy.

## 2.2 Stage 1 – Informal Resolution

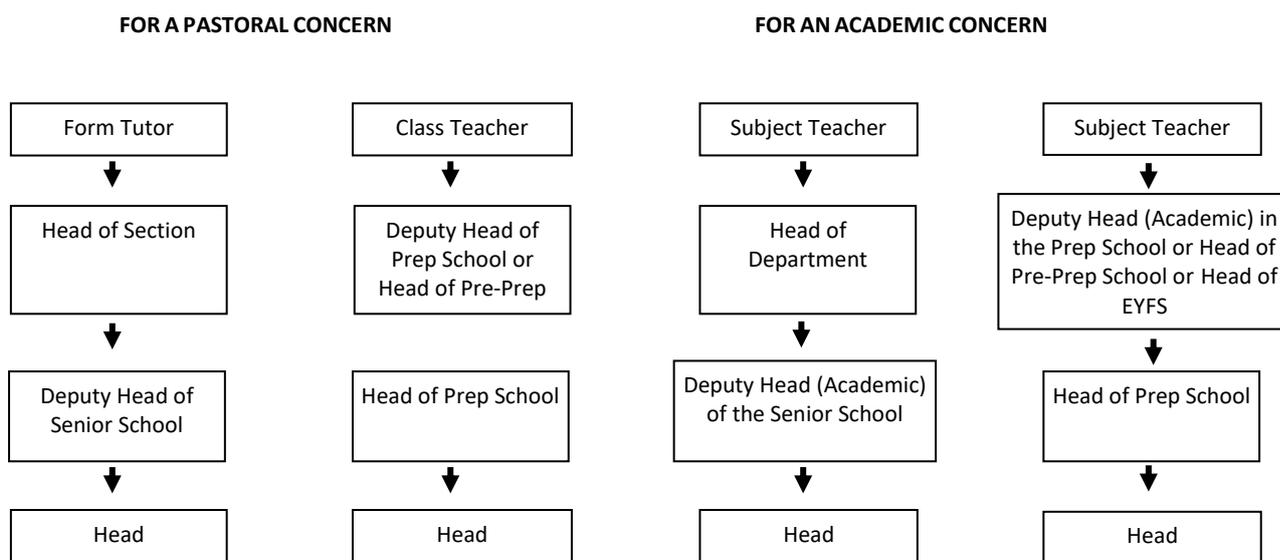
To raise a concern, please contact the following members of staff in the first instance:

- For a minor day-to-day issue, the relevant teacher, or your child’s Form Tutor/Teacher;
- For a subject-related academic concern, your child’s subject teacher;
- For a more serious pastoral concern, your child’s Head of Section in the Senior School or the Deputy Head or Head of Pre-Prep in the Prep School.
- For a more serious general academic concern, the relevant Head of Department in the Senior School or the Deputy Head (Academic) or Head of Pre-Prep in the Prep School;
- In matters of non-academic services, the Bursar.

The member of staff to whom the concern is reported will, at their discretion, make a written record, including the date the concern was raised.

Birkdale School is committed to acknowledging receipt of a concern by telephone, email or letter within three working days of receipt.

The member of staff to whom the concern is reported will then seek to resolve the matter informally without the need for it to be escalated. However, should the matter not be resolved at the initial level then it will be escalated to the next level as set out in the table below.



It is hoped that most concerns will be resolved quickly but, should the matter not be resolved within ten working days, then an individual may make a complaint under Stage 2.

If parents have a complaint they should normally contact their son/daughter’s Form Tutor. In many cases, the matter will be resolved straightaway by this means to the parents’ satisfaction. If the Form Tutor cannot resolve the matter alone it may be necessary for him/her to consult the Head of Section or Head of Department.

If the complaint is about the Head of the Preparatory School, it should be brought directly to the Head, who will proceed under Stage 2 below.

If the complaint is about the Head, it should be brought to the Chairman of the Board of Governors who will proceed initially under Stage 2 below but replacing “the Head” at each point.

### **2.3 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 Head. Full written details of the nature of the complaint, any relevant documents and full contact details should be sent by the parents in an envelope or email addressed to the Head. It would be very helpful if parents could also indicate what they envisage as the desired outcome.

A written acknowledgement of receipt of the complaint will be sent to the parents within three working days. The Head (or, in his absence, the Deputy Head) will decide, after considering the complaint, the appropriate course of action to take.

In most cases, the Head will meet the parents concerned, normally within 20 working days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage, however if not, a resolution will be reached within a maximum of 10 working days.

It may be necessary for the Head to carry out further investigations that may delay a resolution.

The Head or senior member of staff dealing with the complaint will keep written records of all meetings and interviews held in relation to the complaint.

Once the Head 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. The Head will also give reasons for his decision.

In accordance with Early Years and Foundation Stage (EYFS) legislation, the school will resolve any formal complaints regarding pupils in our EYFS setting within twenty-eight calendar days of having received the complaint and will inform the complainants of the outcome.

If parents are still not satisfied with the decision, they should proceed to stage 3 of this Procedure.

### **2.4 Stage 3 – Panel Hearing**

If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they will be referred to the Chairman of the Board of Governors, who has been appointed by the Governors to call hearings of the Complaints Panel.

Parents should make their appeal in writing to the Chairman in confidence, care of the School, within five working days of the decision of the Head.

The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of at least 3 persons not directly involved, one of whom shall be independent of the management and running of the School. Each of the Panel members shall be appointed by the Chairman of the Board of Governors. The Chairman of the Board, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 20 working days.

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 (redacted or provided in excerpt or summary form as may be required so far as third parties are concerned) shall be supplied to all parties not later than 5 working days prior to the hearing.

The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.

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

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 normally within 10 working days of the Hearing. 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. The Panel's findings and, if any, recommendations will be sent in writing to the parents, the Governors and, where relevant, the person complained of.

### **3 Registered Complaints**

During the school year 2022/23 there were no stage 2 complaints and one stage 3 complaint.

### **4 Review and Development**

#### **4.1 Procedure**

This document, together with the effectiveness of its procedures, will be reviewed annually by the Senior Management Team and Governing Body and as events or legislation change requires.

#### **4.2 Links with other Policies**

This policy should be read in conjunction with the following documents:

- Equality, Diversity and Inclusion Policy
- Safeguarding and Child Protection Policy