

# **Parental Complaints Policy and Procedures**

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**Brooke House College**

2022/23 Version

## 1 Introduction

- 1.1 The College's Parental Complaints Policy and Procedures (this **Policy**) is drafted in accordance with Part 7 of the Education (Independent College Standards) Regulations 2014 and The National Minimum Standards for Boarding Schools, Standard 18.
- 1.2 Under the terms of this policy, a complaint is taken to mean any matter about which a parent of a pupil is unhappy and seeks action by the College. (See section 2.3 below for matters relating to safeguarding and exclusions)
- 1.3 The College aims to ensure that any complaint is managed sympathetically, efficiently, as timely as possible and at the appropriate level and resolved as soon as possible. The College will try to resolve every complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, the College will review its systems and procedures in light of the circumstances of the complaint.
- 1.4 The College recognises that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment and so the College needs to know as soon as possible if there is any cause for dissatisfaction. Parents and pupils should never feel that making a complaint will adversely affect a pupil or his / her opportunities at the College.
- 1.5 This Policy applies to complaints from parents of current pupils and to parents of former pupils if the complaint was initially raised whilst the pupil was on roll at the College.
- 1.6 Many parents of pupils at Brooke House College live overseas. Some pupils have educational guardians in the UK, who are adults appointed by the parents to look after the interests of the pupil while he / she is a pupil at the College. This procedure may be used by educational guardians who have been formally instructed to make the complaint by the parents on their behalf. Educational guardians may not make complaints independently and without instructions to do so by the pupil's parents.
- 1.7 The College aims to resolve any complaints in a timely manner. Timescales for each stage are set out below in the relevant paragraphs. References to **working days** in this policy mean Monday to Friday when College is open during term time. Term dates are published on the College's website.
- 1.8 It is expected that the complaints procedure will progress in a timely manner. The College aims to resolve any complaint efficiently and promptly and parents are encouraged to bring any complaints to the College's attention as soon as possible after any incident causing concern.

## 2 Management of complaints

- 2.1 The College's complaints procedure has three stages:
  - 2.1.1 **Stage 1:** the informal raising of a complaint with a member of staff either orally or in writing - further details of this procedure are set out in Appendix 1.
  - 2.1.2 **Stage 2:** a formal complaint in writing to the Principal - further details of this procedure are set out in Appendix 2.
  - 2.1.3 **Stage 3:** referral of the matter to the Complaints Panel - further details of this procedure are set out in Appendix 3.
- 2.2 A summary of the College's Complaints Procedure is set out in Appendix 4.

2.3 Separate procedures apply where the Principal expels or requires the removal of a pupil from the College and the parents seek a review of that decision. These are contained in the Expulsion, Removal and Review Policy.

### 3 **Record keeping and confidentiality**

3.1 A written record will be kept of all complaints dealt with under Stages 2 and 3 of this procedure (formal complaints). The record will include whether the complaint was resolved at Stage 2 or Stage 3; the action taken by the College as a result of the complaint (regardless of whether it was upheld); and whether the complaint relates to the College's boarding provision. The number of formal complaints registered during the preceding academic year will be supplied to parents on request.

3.2 Correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested by the Secretary of State or where disclosure is required in the course of an inspection or under other legal authority.

3.3 In accordance with data protection principles, details of individual complaints will be kept only for as long as is considered to be reasonably necessary in the circumstances.

### 4 **Monitoring and review**

The Board of Directors will monitor the number and type of complaints received and the operation of the procedures set out in this policy. They will also review the policy at least annually to ensure it meets statutory requirements and continues to reflect best practice.

<b>Authorised by</b>	resolution of the Board of Directors
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<b>Signed</b> .....	
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Director	
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<b>Date</b>	August 2022
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### Schedule of Updates

Date document updated	Document updated by	Summary update/comments	Location of saved file
May 2016	MCO / MB / RP	Updated as part of College review of all statutory policies – Spring 2016.	Dropbox – SMT – Policies Final
May 2017	MCO/MB	Updated as part of College review following ISA check – 28 <sup>th</sup> April 2017	Dropbox – SMT – Policies Final
March 2019	MCO	Updated in relation to the commentary of regulatory requirements 2018	Dropbox – SMT – Policies Final
April 2020	MCO	Updated as part of College review following ISA check – March/April 2020	Dropbox – SMT – Policies Final
July 2021	MCO	Updated due to change of Bursar -> COO	Dropbox – SMT – Policies 2021-2022
Aug 2022	IS		

### Schedule of Review

Date of document review	Reviewed by	Scheduled date of next review
July 2017	MCO	July 2018
July 2018	MCO	July 2019
July 2019	MCO	July 2020
July 2020	MCO	July 2021
July 2021	MCO	July 2022
July 2022	IMS	August 2023

## Appendix 1 Stage 1 - dealing with concerns and difficulties informally

### 1 Informal resolution of a complaint

- 1.1 We expect that most complaints can be resolved informally. For example, dissatisfaction about some aspect of teaching or pastoral care or a billing error should be able to be resolved by the relevant member of staff.

### 2 Who to contact

- 2.1 Where appropriate, complaints should initially be raised as follows:
- 2.1.1 **Educational issues:** if the matter relates to the classroom, the curriculum or special educational needs, please speak or write initially to the Vice Principal. Your complaint may be passed to the Principal if appropriate.
  - 2.1.2 **Pastoral care:** for complaints relating to matters outside the classroom, please speak or write to the Director of Boarding & Pastoral care.
  - 2.1.3 **Disciplinary matters:** a problem over any disciplinary action taken or a sanction imposed should be raised first of all with the Vice Principal.
  - 2.1.4 **Financial matters:** a query relating to fees or extras should be addressed in writing to the College Chief Operating Officer.
- 2.2 A Stage 1 complaint against the Principal of the College should be put in writing and addressed to the Board of Directors.
- 2.3 An informal complaint provided in writing will be acknowledged by telephone, email or letter within two working days of receipt during term time and as soon as practicable during the holidays. A matter raised orally will not necessarily be acknowledged in writing but a record of the matter will be made.
- 2.4 Should the matter not be resolved within 10 working days of acknowledgement or in the event that the parent and member of staff fail to reach a satisfactory resolution, then the parent will be advised to proceed with the complaint in accordance with Stage 2 of this procedure.

## **Appendix 2 Stage 2 - formal complaint**

### **1 How to make a formal complaint**

- 1.1 If a parent is dissatisfied with the response to the complaint under Stage 1, the complaint should be made under Stage 2.
- 1.2 The full details of the complaint should be set out in writing and sent with all relevant documents and full contact details to the College Principal. Where the complaint concerns the Principal, it should be addressed to the Board of Directors, one of whom will assume the role of the Principal for the purposes of the Stage 2 procedure.
- 1.3 The complaint will be acknowledged by telephone, email or letter within three working days during term time, and as soon as practicable during the holidays, indicating the action that is being taken and the likely time scale.

### **2 Investigation**

- 2.1 The Principal will appoint a senior member of staff to act as an investigator. The Investigator(s) may request additional information from the parent and may wish to speak to the parent personally and to others who have knowledge of the circumstances. Written records will be kept of all meetings and interviews held in relation to the complaint. The Investigator(s) will prepare a report on the investigation which will be considered by the Principal.

### **3 Decision**

- 3.1 The Principal will then notify the complainant by email or letter of his Stage 2 decision and the reasons for it within 10 working days from the acknowledgement of the formal complaint. Where there are exceptional circumstances resulting in a delay, the parents will be notified of this and informed of the new timescales as soon as possible.
- 3.2 Parents should note that any complaint received within official College holidays is likely to take longer to resolve owing to the unavailability of personnel required for the investigation to be undertaken properly.
- 3.3 If a parent is dissatisfied with the Principal's response or any decision or finding of fact made in relation to the complaint, the parent can request that the complaint be referred to the Complaints Panel under Stage 3 using the procedure set out in Appendix 3.

## **Appendix 3 Stage 3 - Complaints Panel**

### **1 What is a Complaints Panel Hearing?**

- 1.1 A Complaints Panel Hearing (**Hearing**) is a hearing requested by the complaining party for a review of a finding of fact or decisions taken at Stage 2. The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.
- 1.2 Grounds for review under a Complaints Panel Hearing may be one or both of the following:
  - 1.2.1 Dissatisfaction with a finding of fact made at Stage 2 of the procedure. The finding of fact may relate to the whole complaint or to one or more relevant issues in the complaint.
  - 1.2.2 Dissatisfaction with the response to the complaint and/or a decision of the Principal (or Director) made at Stage 2 of the procedure.
- 1.3 In relation to a review of a finding of fact made by the Principal (or Director) at Stage 2 of the procedure, the role of the Complaints Panel will be to establish the facts surrounding the complaint and to reach a decision as to whether, on the balance of probabilities, the complaint has been made out, either in whole or in part.
- 1.4 In relation to a review of the response to the complaint and/or a decision of the Principal (or Director) made at Stage 2 of the procedure, the role of the Complaints Panel will be to review the response to the complaint and the decisions made at Stage 2 of the procedure.
- 1.5 The Complaints Panel will consider:
  - 1.5.1 The documents submitted by both parties;
  - 1.5.2 Any oral evidence given by the parties and their witnesses; and
  - 1.5.3 Any submissions made by the parties.
- 1.6 It is not within the powers of the Complaints Panel to make any financial award, and nor is it within the powers of the Complaints Panel to impose sanctions on staff, pupils or parents. The Complaints Panel may make recommendations to the College on these matters or any other issues as appropriate.

### **2 How to request a Hearing**

- 2.1 If a parent is dissatisfied with the response to the complaint under Stages 1 and 2, the complaint should be made under Stage 3.
- 2.2 A request for a Hearing must be put in writing to the College Chief Operating Officer.
- 2.3 Where the complaint concerns the College Chief Operating Officer, a request for a Hearing must be put in writing to the Principal.
- 2.4 The written request should include:
  - 2.4.1 a copy of all relevant documents and full contact details;

- 2.4.2 all details of the complaint and the outcome desired;
  - 2.4.3 all details of the grounds for a review, including whether the complaining party seeks a review of a finding of fact or the response to the complaint or both.
  - 2.4.4 a list of the documents which the parents believe to be in the College's possession and wish the Complaints Panel to see; and
  - 2.4.5 any proposal to be accompanied to the hearing by someone who is legally qualified (see paragraph 3.3 below).
- 2.5 If assistance with the request is required, for example because of a disability, parents should inform the Chief Operating Officer who will be happy to make the necessary arrangements.
- 2.6 The College Chief Operating Officer will acknowledge the request for a Hearing in writing within two working days of receipt during term time and as soon as practicable during the holidays.
- 2.7 Every effort will be made to enable the Hearing to take place within 15 working days of acknowledgement of the request. However, parents should note that the Complaints Panel will not normally sit during half terms or College holidays.

### **3 Planning the Hearing**

- 3.1 As soon as reasonably practicable, and in any event at least ten working days before the Hearing, the Chief Operating Officer will send written notification to each party of the date, time and place of the hearing.
- 3.2 Parents should send copies of any additional documents they wish the Complaints Panel to consider to the Chief Operating Officer to be received at least five working days prior to the Hearing.
- 3.3 Parents may be accompanied to the Hearing by another person, for example a relative or friend. The Hearing is not a legal proceeding and so legal representation is not necessary. Parents wishing to be accompanied by someone who is legally qualified should have notified the Chief Operating Officer of this in their initial request for a Hearing. The Complaints Panel will wish to speak to the parents directly, no accompanying person will be permitted to act as an advocate or to address the Hearing unless invited to do so by the Chairman of the Panel.
- 3.4 The Chief Operating Officer will circulate a copy of the bundle of documents to be considered by the Complaints Panel to all parties at least three working days prior to the Hearing.

### **4 Composition of the Complaints Panel**

- 4.1 The Complaints Panel will normally comprise three individuals who have no detailed prior knowledge of the circumstances of the complaint, including at least one independent member who has no connection with the governance, management or running of the College. Such a person might typically be one of the College's independent listeners, the Parish vicar or a local solicitor acting on a pro-bono basis. Before accepting a place on the Panel, the independent member will be asked to confirm their independence in the context of the review.



4.2 The parents may ask the Chief Operating Officer to inform them who has been appointed to sit on the Complaints Panel ahead of the Hearing. There is no right on behalf of the parents to object to the panel members as long as the panel has been correctly composed according to 4.1 above.

4.3 The Complaints Panel members will appoint a Chairman of the Panel.

## **5 The Hearing**

5.1 The Hearing will be conducted in an informal manner. The Chief Operating Officer will open the hearing by introducing the parties and the Panel, summarising the nature of the complaint and detailing the background to the Panel Hearing, including all details of the outcomes to Stage 1 and Stage 2 of the procedure. The Chief Operating Officer will also outline the grounds for review and the issues to be decided by the Panel. The Chairman of the Panel will then invite the complaining party to present their complaint. As the hearing continues, all other parties will be given the opportunity to make submissions and representations.

5.2 The parties shall have the opportunity to ask questions and make comments in an appropriate manner. The Hearing is not a legal proceeding and the Complaints Panel shall be under no obligation to hear oral evidence from witnesses but may do so and / or may take written statements into account.

5.3 All statements made at the Hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes. A clerk appointed by the Complaints Panel will take a handwritten minute of the proceedings.

5.4 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 Chairman. 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.

5.5 The Chairman may, at his or her discretion, adjourn the Hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.

5.6 A Hearing before the Complaints Panel is private. 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 or other media.

5.7 When the Chair of the Panel considers that all the issues have been sufficiently discussed, he / she will conclude the Hearing.

## **6 The decision**

6.1 The decision, findings and any recommendations will be confirmed in writing to the complainant and, where relevant, the person complained about, within five working days of the Hearing. The decisions, findings and any recommendations will also be available for inspection on the College premises by the Board of Directors and the Principal.

6.2 The completion of Stage 3 represents the conclusion of the College's Complaints Procedure.

**Appendix 4 Procedural flowchart**

