



# BIRKENHEAD SCHOOL

## Policy and Procedure on Dealing with Complaints

This policy is for the benefit of current students at Birkenhead School and their parents/guardians. This policy and procedure applies in respect of all complaints made against the School except in respect of:

- Child protection allegations, where a separate policy and procedure applies
- Exclusions, where a separate appeals procedure applies
- Appeals relating to internal assessment decisions for external qualifications where a separate appeals procedure applies

The use of the term 'parents' below refers to those who have a current contract for the provision of services with the School, including legal guardians and single parents.

This policy is available, on request, to students and parents or guardians of students and prospective students of the School. While students may themselves raise concerns and complaints under this policy and procedure, the School will normally involve parents. Complaints under the formal procedure must be made by parents on behalf of themselves or their children.

The number of complaints registered under formal procedures during the last 12 months is available on request. A formal complaint is one where either (a) the parent states that their complaint is formal and explicitly invokes the Complaints Procedure or agrees that the complaint should be handled under the Complaints Procedure or (b) the Headmaster or his representative respond to a complaint or concern by explicitly stating that the School's Complaints Procedure will be applied.

### **1. Aim**

The School has long prided itself on the quality of the teaching and pastoral care provided to its students. The School welcomes suggestions and comments from parents and students and takes seriously concerns and complaints they raise. If parents and students do have a complaint, they can expect it to be treated in accordance with this policy and procedure.

### **2. Policy**

2.1 All complaints received by the School will be treated seriously.

- 2.2 All complaints will be treated in a confidential manner as far as is consistent with investigating the complaint appropriately.
- 2.3 Correspondence, statements and records will be kept confidential except in so far as is required of the School by Part 7 Paragraph 33 of the Education (Independent Schools Standards) Regulations 2014; where disclosure is required in the course of the School's inspection; or where any other legal obligation prevails.
- 2.4 Complaints made by parents will not rebound adversely on their children.
- 2.5 If the School is unable to give a response within the stated time, the reason(s) shall be stated and an amended timeframe agreed with parents as appropriate.
- 2.6 Responses to complaints will be made in a courteous and efficient manner.
- 2.7 The School reserves the right not to pursue anonymous complaints.

### **3. Procedure**

#### **Stage 1 – Informal Resolution**

- 3.1 It is hoped that most complaints will be resolved quickly and informally.
- 3.2 If parents have a complaint, they should normally contact their child's Form Tutor (Form Teacher in Prep, or Nursery Manager); but see also Para. 3.8 below. In many cases, the matter will be resolved straightaway by this means to the parent's satisfaction.
- 3.3 If the Form Tutor (Form Teacher in Prep) cannot resolve the matter alone, it may be necessary for him/her to consult a Head of Department, a Head of Year, the Deputy Headmaster, a Prep Senior Teacher, the Head of Prep, or the Headmaster.
- 3.4 Complaints made directly to a Prep Senior Teacher, Head of Department, Head of Year, the Deputy Headmaster, the Head of Prep or the Headmaster will usually be referred to the relevant Form Tutor (Form Teacher in Prep) for further action unless the Prep Senior Teacher, Head of Department, Head of Year, Deputy Headmaster, Head of Prep or Headmaster deems it appropriate for him/her to deal with the matter personally. In this case, the Form Tutor/Teacher will be kept informed of the complaint and the outcome.
- 3.5 The person dealing with the complaint will make a written record of the complaint and the date on which it was received.
- 3.6 The School will use its reasonable endeavours to resolve any complaints - usually within ten working days of them being raised, except where they are raised in the School holidays. In those circumstances, the School will use its reasonable endeavours to resolve them as soon as possible after the start of the new School term (usually within ten working days).
- 3.7 In the event that the person dealing with the complaint and the parents fail to reach a satisfactory resolution, then parents may proceed with their complaint in accordance with

Stage 2 of this procedure; extenuating circumstances notwithstanding, this should be actioned by parents within twenty-one days of receiving the School's response.

- 3.8 Sometimes complaints need to be directed to specific people. This list cannot be exhaustive and any parent in doubt should contact the School. At all times parents have the right to raise complaints with the Headmaster, should they so wish.
- If a complaint relates to a member of staff, this should be raised first of all with the member of staff concerned. Alternatively, the complaint can be raised in accordance with 3.2 or 3.4.
  - Complaints regarding fees, or specifically financial matters, health and safety and catering, should be raised with the Bursar in the first instance.
  - Complaints about medical matters should be referred in the first instance to the School Nurse.
  - If a complaint is specifically about the conduct of the Headmaster, such that it is inappropriate for such to be referred to him, then the complaint should be made to the Governors via the Clerk.

### **Stage 2 – Formal Resolution**

- 3.9 If the complaint cannot be resolved on an informal basis, then parents should set out their complaint clearly in writing to the Headmaster setting out what remedy they seek or think is appropriate. The Headmaster will consider the complaint, and respond to it.
- 3.10 In most cases, the Headmaster will discuss the matter with the parents concerned, normally within five working days of receiving the complaint. If possible, a resolution will be reached at this stage. Where the complaint is received in the School holidays the Headmaster will use best endeavours to discuss the matter with parents as soon as possible after the commencement of the new School term, normally within five working days.
- 3.11 The Headmaster will carry out such investigations as he considers appropriate.
- 3.12 The Headmaster will respond to the parents addressing the complaint and stating any action taken or proposed as a consequence of the complaint in writing usually no later than ten working days after parents have discussed the complaint (as in paragraph 3.10).
- 3.13 If parents are not satisfied with the Headmaster's response they may proceed to Stage 3 of this procedure; extenuating circumstances notwithstanding, this should be actioned by parents within twenty-one days of receiving the Headmaster's response.

### **Stage 3 – Governor Oversight/Panel Hearing**

- 3.14 If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution and where dissatisfied with the Headmaster's response in respect of their formal complaint), they should write outlining the rationale for further oversight/resolution to the Chair of the Board of Governors c/o The Clerk to the Governors, Birkenhead School, 58 Beresford Road, Oxton, CH43 2JD. The Clerk to the Governors will acknowledge the request within three working days. In the event of a complaint being received in School holidays, the Clerk to the Governors will acknowledge the request within three working days of School starting again with the Panel hearing convening within twenty-one working days of the acknowledgement.

- 3.15 Following receipt of a request and the rationale, the Chairman will then appoint two Governors and a person independent of the management and running of the School to address the complaint (“the Complaint Panel”) none of whom should have been directly involved in the matter previously. The hearing will take place as soon as is practicably possible and, in any case, within twenty-one working days of receipt of the request. The complaint will be addressed in an impartial and confidential manner and in such manner as the appointed Complaint Panel deem appropriate including, without limitation or compulsion, investigation, meeting or seeking information from the parent or other.
- 3.16 Where a Panel hearing is convened, this will involve at least three people not directly involved in the matters detailed in the complaint. Parents will be entitled to be accompanied at any hearing by someone such as a relative, a teacher or a friend (but not legal representation). The Complaint Panel will write to the parents within five working days of the Panel hearing, informing them of its response to the complaint and any action recommended as a consequence. The Complaint Panel’s letter will also be sent in writing to the Headmaster, the Chair of Governors and, where appropriate, any person who is the subject of the complaint. A copy of the findings and recommendations will be available for inspection on the School premises by the proprietor and the Headmaster. The decision of the Complaint Panel will be final.
- 3.17 Written records will be kept of all formal complaints (and reports arising) and of whether they are resolved at the preliminary stage or proceed to a panel hearing. The action taken by the School as a result of these complaints (regardless of whether they are upheld) will also be kept. All papers will be maintained confidentially, available for inspection by Governors/Headmaster and a duly authorised inspectorate.
- 3.18 Persistent Correspondence: Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, this can be regarded as vexatious and outside the scope of the policy.

### **Early Years Foundation Stage (including Before and After School Care)**

The same policy and procedure apply, with the following additions:

- The record of complaints is kept for at least three years.
- Parents may make a complaint to Ofsted at Piccadilly Gate, Store Street, Manchester M1 2WD (Tel: 0300 123 4666); or the Independent Schools Inspectorate (020 7600 0100) if they so wish.
- While we would aim to investigate all complaints in a timely manner to enable a prompt outcome, specifically for those parts of the School’s provision which are Ofsted registered, complainants will be notified of the outcome of an investigation within 28 days of the complaint being received.
- For those parts of the provision which are Ofsted registered, the School must provide Ofsted and the Independent Schools Inspectorate, on request, with a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint.

This policy replaces all previous versions.

**HM 30<sup>th</sup> September 2024. To be reviewed September 2025**