



ISSR Ref.

# Complaints Policy

Last Revised: September 2023

Policy Owner: Headmaster

**Date of next review:** \_\_\_\_\_ **September 2024** \_\_\_\_\_

**Signed:** \_\_\_\_\_ *Ed Currie* \_\_\_\_\_ **Date:**  
\_\_\_\_\_ **1.9.23** \_\_\_\_\_

**Printed:** \_\_\_\_\_ **Mr Ed Currie** \_\_\_\_\_

**Chair of Governors**

**Signed:** \_\_\_\_\_ *Andrew Rudkin* \_\_\_\_\_ **Date:**  
\_\_\_\_\_ **1.9.23** \_\_\_\_\_

**Printed:** \_\_\_\_\_ **Mr Andrew Rudkin** \_\_\_\_\_

**(Headmaster)**

## Policy Statement

*This is a whole school policy.*

Lyndhurst School regards relationships with parents and carers as particularly important and aims for open and easy communication between home and school. It also aims to provide teaching and pastoral care of the highest order.

The school is always happy to receive suggestions and to talk about any concerns which will help us identify areas of success and areas in which we could improve. Where a concern is raised it can often be resolved with a single conversation. Sometimes an issue is more complex and will take more than a single conversation to resolve. Occasionally, despite the best efforts of all parties, these discussions do not resolve the concern, which then may become a complaint.

If, however, there is a complaint, it will be treated seriously by the school in accordance with this procedure in a proper and professional manner with sensitivity, discretion, and confidentiality.



## **Roles and Responsibilities**

- 33(a)** The School's Trustees/Governors has responsibility to ensure that a complaints procedure is drawn up and effectively implemented with deals with the handling of complaints from parents of pupils.
- 33b)** This policy is available to parents of pupils by downloading it from the school website or in printed form from the school office.

## **The Three-Stage Process**

Lyndhurst School follows a three-stage process for complaints as outlined below.

### **33(d) Stage 1: Informal Resolution**

The complainant should make an appointment with their child's form teacher or, if more appropriate, with the person within the school who is most closely involved with the cause of the concern. The staff member will acknowledge the request for a meeting as soon as possible and in any case within 3 working days. Through dialogue and, where required, agreed action we hope to resolve the complaint informally. Written records of all discussions and meetings held in relation to the concern/complaint will be kept.

Should the matter not be resolved within 10 working days or if the appropriate member of staff and the parent/carer fail to reach a satisfactory resolution, then the complainants will be advised to proceed with their complaint in accordance with the Formal Resolution stage, Stage 2, of this Procedure.

### **33(e) Stage 2: Formal Resolution**

- 33(c)** The complainant should write formally to the Headmaster. The Headmaster will acknowledge the complaint in writing within 3 working days of receiving the complaint.

The Headmaster will decide, after considering the complaint, the appropriate course of action to take.

- 33(c)** In most cases, the Headmaster will meet the complainants concerned, normally within 3 working days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage. It may be necessary for the Headmaster to carry out further investigations, such as discussion with staff members or with the School Directors/Governors.

Written records of all meetings and interviews held in relation to the complaint will be kept. A written record of all formal complaints will be kept whether or not they are resolved following the formal procedures or went to a panel hearing and will detail the action taken by the school because of these complaints (regardless of whether they were upheld)

- 33(c)** Once the Headmaster is satisfied that, as far as is practicable, all the relevant facts have been established, a decision will be made, and complainants will be informed of this decision in writing within working 28 days of having received the written complaint. The Headmaster will also give reasons for his decision.

If complainants are not satisfied with the decision, they should proceed to Stage 3 of this Procedure.



**33f) Stage 3: Hearing**

If complainants seek to invoke Stage 3 (following a failure to reach an earlier resolution at Stage 2), they should put their complaint in writing to The Chair of Governors, c/o Lyndhurst School.

**33c)** The Chair of Governors will acknowledge the complaint in writing within 5 working days of receiving the complaint. The Chair of Governors will then schedule a hearing by a Complaints Panel. This will take place as soon as practicable and normally within 20 working days.

**Framework of Principles**

An effective complaints procedure will:

- Encourage resolution of problems by informal means wherever possible;
- Be easily accessible and publicised;
- Be simple to understand and use;
- Be impartial;
- Be non-adversarial;
- Allow swift handling with established time-limits for action and keeping people informed of the progress;
- Ensure a full and fair investigation by an independent person where necessary;
- Respect people's desire for confidentiality, but only where this is appropriate;
- Address all the points at issue and provide an effective response and appropriate redress, where necessary; and
- Provide information to the school's senior management team so that services can be improved.

**Complaints regarding EYFS (Early Years Foundation Stage)**

The school will investigate written complaints relating to their fulfilment of the EYFS requirements and notify complainants of the outcome of the investigation within 28 days of having received the complaint.

The school will make available to parents or carers details about how to contact Ofsted, if they believe the school is not meeting the EYFS requirements.

**Constitution of the Complaints Panel**

**33(g)** The Complaints Panel will consist of three people who have not been directly involved in the matters detailed in the complaint. Two persons will normally be Directors/Governors of the school and one person will always be independent of the management and running of the school<sup>1</sup>. Each of the panel members shall be appointed by the Chair of the Governors and the

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<sup>1</sup> *The independent panel member is likely to be someone who has held a position of responsibility and is used to analysing evidence and putting forward balanced arguments. Examples of persons likely to be suitable include serving or retired business people, civil servants, heads or senior members of staff at other schools, people with a legal background and retired members of the Police Force.*



chair of the panel should be named. The Chair of the Governors can appoint him/herself to the Complaints Panel.

33c) Any documents from either the complainant or member of staff will need to be considered by the panel. 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 all papers submitted plus the agenda will be sent to all parties concerned not less than 3 working days before the hearing date.

33h) Complainants may attend the hearing and be accompanied by one other person if they wish. It is not considered appropriate for legal representation or for pupils of the school to attend.

If possible, the panel will resolve the complaint immediately without the need for further investigation. Where further investigation is required, the panel will decide how it should be carried out.

The panel will consider the complaint based on the papers they receive and what is said at the meeting. In the event of either party not attending the meeting, the panel chair has discretion to proceed or to adjourn at any stage.

33c) After consideration of all facts they consider relevant, the panel will reach a decision and may make recommendations, which it shall complete within 5 working days of the hearing. The panel will either uphold the complaint in full or in part and make recommendations to the full governing body for action or decide to recommend no action to be taken and give reasons for the decision.

33c) The panel will write to the complainant(s) informing them of its decision and the reasons for it within 28 working days of having received the original written complaint. The decision of the panel will be final.

33i) The panel's findings and any recommendations will be sent in writing to the complainant/s, and where relevant, the person complained about, and will be available for inspection on the school premises by the Chair of Governors and the Headmaster.

### **Resolving Complaints**

At each stage in the procedure Lyndhurst School will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- An apology;
- An explanation;
- An admission that the situation could have been handled differently or better;
- An assurance that the event complained of will not recur;
- An explanation of the steps that have been taken to ensure that it will not happen again; and
- An undertaking to review the relevant school policies in light of the complaint.



It is important that complainants are encouraged to state what actions they feel might resolve the problem from the outset. An admission that Lyndhurst could have handled the situation better is not the same as an admission of negligence.

An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

### **Arrangements for record keeping and confidentiality**

33j) A written record will be kept of all complaints for a minimum of three years; this will include a record of whether the complaint was resolved at the preliminary stage or whether they proceeded to a panel hearing.

In the academic year 2022-2023 there were no complaints.

### **Confidentiality**

33(k) 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.

### **Data Retention**

There may be occasions where complaints are made or continue to be escalated after a child has left the school. On changing schools, the pupil's educational record is transferred to the new school and no copies are retained. Lyndhurst School can consider holding records of complaints separate to their pupil records (while a complaint is ongoing) so that access to them can be maintained. As information generated by a complaint may not form part of the pupil record, Lyndhurst will consider how best to store this information. Personal data should only be kept for as long as is necessary for the immediate purpose of processing. The data should be stored securely in accordance with the Lyndhurst's Data Retention Policy and, where appropriate, encrypted to maximise security.



### Summary of the Three-Stage Process

Complaint Stage	Initial contact made to:	Timescale for acknowledgment of initial contact	Likely action to be taken to resolve the complaint	Timescale for resolution of complaint	Recording
Stage 1 Informal Resolution	Child's form teacher or other staff member, if appropriate	3 working days	Dialogue & agreed action/s.	Within 10 working days	Written records of all discussions and meetings held in relation to the concern/issue will be noted and saved on the school MIS. Parents will be issued with a Concern Form.
Stage 2 Formal Resolution	Formal written complaint to the Headmaster	3 working days	Initial meeting, investigation and further meetings if required. Complainants will be informed of Headmaster's final decision in writing.	Within 28 working days	Written records of all meetings, interviews and decisions made in relation to the complaint will be kept in the 'Formal Complaints' file held by the Headmaster.
Stage 3 Hearing	Formal written complain to The Chair of Governors, c/o Lyndhurst School.	5 working days	Hearing by a Complaints Panel. The panel will reach a decision and may make recommendations.  The panel will write to the complainant(s) informing them of its decision and the reasons for it.	<ul style="list-style-type: none"> <li>Hearing will normally take place within 20 working days.</li> <li>Decision/recommendations made within 5 working days of the hearing.</li> <li>Complainants informed of the panel's decision within 30 working days of having received the original written complaint.</li> </ul>	Written records of all meetings and interviews held in relation to the complaint will be kept in the 'Formal Complaints' file held by the Headmaster.

**LYNDHURST SCHOOL**  
*Complaints Policy*

Date		
Pupil name		
Current year group		
Parent's name (Person lodging the complaint)		
Email /Letter/Verbal		
Member of Staff Contacted		
INITIAL CONCERN RAISED	DATE:	
NOTES:		
NEXT ACTIONS AGREED	DATE:	
NOTES:		



## Concerns and Complaints

FORMAL WRITTEN COMPLAINT RECEIVED	DATE:
MEMBER OF STAFF CONTACTED	DATE:
NOTES:	
PROPOSED SOLUTION(S) BY COMPLAINANT	
NEXT CONTACT / ACTION	DATE:
NOTES:	
FACE TO FACE MEETING	DATE:
NOTES:	
FURTHER REVIEW DATE IF APPLICABLE	DATE:



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RESOLUTION AGREED	DATE:
NOTES:	
Signed by parent(s) / carer	Signed by Headmaster
Print name:	Print name:
Signature:	Signature:
Date:	Date:

ATTACHMENTS:



Lyndhurst School Complaints Stage 2 - Stage 3 Tracker

Complaint Number	From	Child	Year Group	Stage 2 Receipt of Written/E mail Complaint	Stage 2 Date	Stage 2 Receipt acknowledged/Letter ref & date within 3 working days	Stage 2 Meeting with Head Minutes Yes/No & Date within 3	Stage 2 Name of Investigator	Stage 2 Justified/Up held Yes/No	Stage 2 Outcome advised/Letter Ref & Date within 28 days	Stage 2 Actions Completed (Yes or No)	Stage 2 Complaint Closed Yes/No (Date & Initials)	Stage 3 Governor Receipt of Written/E mail Complaint	Date	Stage 3 Receipt acknowledged/Letter ref & date within 5 working days	Stage 3 Complaints Panel Date within 20 working days	Stage 3 Justified/Up held Yes/No	Stage 3 Outcome advised/Letter Ref & Date within 5 days	Stage 3 Actions Completed (Yes or No)
1																			
2																			
3																			
4																			
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