



# MILTON ABBAY SCHOOL

## **Complaints Policy and Procedure**

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Approved by:	James Watson, Headmaster

# COMPLAINTS POLICY AND PROCEDURE

## Introduction

Milton Abbey School has long prided itself on the quality of the teaching and pastoral care provided to its pupils and on its constructive and positive partnership with parents. However, concerns and complaints will arise in all schools and where parents do have a complaint, they can expect it to be treated by the School in accordance with this Procedure.

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 disclosure is required by law or in the course of the School's statutory inspection.

## What is a complaint?

A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the school as a whole, about a specific department or about an individual member of staff, and any matter about which a parent is unhappy and seeks action by the school is within the scope of this procedure. A complaint is likely to arise if a parent believes that the school has done something wrong, failed to do something that it should have done or has acted unfairly.

## To whom, and in what situations, does this procedure apply?

This procedure applies to current pupils. It does not apply in respect of past pupils unless the complaint was initially raised whilst the pupil was still on the school roll. This procedure does not apply to complaints by prospective parents, including those who have accepted a place at the school in respect of their child but where that child has not yet started at the school. Information about appeals to admissions decisions can be found in our Admissions Policy.

The school's Terms and Conditions sets out the circumstances in which the Headmaster may permanently exclude a pupil or require a pupil to be removed or removed from boarding or suspended in certain circumstances. Wherever practicable, the parents of the pupil concerned will be invited to discuss the issue with the Headmaster or Senior Deputy before a final decision is taken. If the parents wish to contest the Headmaster's decision, they may seek a Governors' Review in accordance with the Governors' Review Procedure which is available from the Clerk to the Governors.

Please note that no complaint may be brought under the Complaints Procedure in relation to the non-payment of any sum(s) owing to the School. If a parent has a complaint regarding any action taken (or proposed to be taken) by the School as a result of his/her failure to pay any sum(s) owing to the School the parent may write to the Clerk to the Governors of Milton Abbey School, who will refer the matter to the Chair of Governors.

## Time frames

Working days for the purposes of this procedure shall mean a day other than a Saturday, Sunday, UK public holiday, or day falling on an Exeat during school term time. Term dates can be found on the Milton Abbey website. Any complaints raised during school holidays (including Exeats and Half Term) will be acknowledged and this procedure commence when the school re-opens. In calculating the number of days, the day of receipt of the complaint and the day of despatch of the response shall not be counted.

If other bodies are investigating aspects of the complaint (for example, the police or local authority safeguarding teams), this may impact on our ability to adhere to the timescales within this procedure or result in this procedure being suspended until those public bodies have completed their investigation.

It may also take longer to resolve a complaint during periods of significant disruption to school life or as a consequence of unavoidable staff absence. However, deviation from the normal timescales set out below should only happen in exceptional circumstances and the school will take all reasonable steps to limit any delay. Parents will be kept informed.

A copy of this procedure can be found on the School's website and is available to: (a) the parents of pupils and prospective pupils at the school; (b) pupils at the school and (c) staff.

## THE PROCEDURE

### Stage 1 – Informal Resolution

- It is hoped that most complaints and concerns will be resolved quickly and informally.
- If a parent has a complaint, they should normally contact their child's Housemaster/ Housemistress (HSM). In many cases, the matter will be resolved straight away to the parent's satisfaction. If the HSM cannot resolve the matter alone, it may be necessary for the HSM to consult the Headmaster or Senior Deputy Head.
- The HSM will make a written record of all concerns and complaints and the date on which they were received.
- Complaints made directly to the Headmaster will usually be referred to the relevant HSM unless the Headmaster deems it appropriate to deal with the matter personally.
- If a complaint is made against the Headmaster, the matter will be directed to a suitably skilled member of the governing board to manage in accordance with this procedure.
- The HSM will endeavour to respond to a Stage 1 complaint as soon as reasonably practicable and normally **within fourteen days**. In the event that the HSM and the parent(s) fail to reach a satisfactory resolution, then the parent(s) will be advised to proceed with their complaint in accordance with Stage 2 of this Procedure. Parents have **7 days** from the completion of Stage 1 to raise the complaint to Stage 2.

### Stage 2 – Formal Resolution

- It is hoped that all complaints can be resolved at the informal stage. However, if the complaint cannot be resolved on an informal basis, the parent(s) should put their complaint in writing to the Headmaster. The Headmaster will decide the appropriate course of action to take, after considering the complaint and consulting with the Senior Deputy Head, if deemed necessary.
- The Headmaster will normally meet with the parent(s) **within seven days** of receiving the Stage 2 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.
- The Headmaster will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Headmaster is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and the parent(s) will be informed of this decision in writing, as soon as reasonably practicable but normally **within fifteen working days of the meeting**. The Headmaster will also give reasons for the decision.
- Complaints concerning the Headmaster will be directed to the Chair of Governors who will manage the complaint in accordance with Stage 2 of this procedure. Where the Chair has been previously involved at Stage 1 the Chair may elect another member of the governing body as an appointed representative to manage the complaint at Stage 2, and if necessary, Stage 3 of this procedure.
- If the parent(s) is still not satisfied with the decision, they should proceed to Stage 3 of this Procedure.

### Stage 3 – The Complaints Panel

- If parents wish to invoke Stage 3, **within ten working days’ of the Headmaster’s Stage 2 decision** they must submit a written complaint addressed to the Clerk to the Governors, Milton Abbey School, Milton Abbas, Blandford DT11 0BZ. The written complaint should give reasonable particulars of the complaint, specify the outcome being sought and include any documents or other evidence or details of witness to fact or character on which the parents intend to rely.
- New matters of complaint will not be reviewed at this stage and any evidence unrelated to the initial complaint will not be considered. If new matters of complaint are raised at this stage, they will be acknowledged, and the parents informed of the person to whom they have been referred under Stage 1.
- The matter will then be referred to a Complaints Panel for consideration.
- The Clerk will acknowledge the complaint on behalf of the Panel and schedule a hearing to take place as soon as practicable and normally **within twenty working days** of receipt of the complaint.
- The Panel will consist of at least three persons who have not been directly involved in the matters detailed in the complaint. At least one member of the Panel shall be independent of the management and running of the School.
- Each of the Panel members shall be appointed by the Chair of Governors of Milton Abbey School.
- The Panel shall nominate one of their number as Chair of the Panel.
- The Panel will be directed to make findings and recommendations. A copy of these findings and recommendations will be provided to the complainant and, where relevant, the person complained about, and available for inspection on the school premises by the Governors and Headmaster.
- **At least seven days before the hearing**, the Headmaster shall submit to the Panel a written statement setting out his/her own views in relation to the parent’s complaint. The Clerk shall give a copy of the Headmaster’s statement to the parent(s).
- 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 shall be supplied to the parent(s) **not later than three days prior to the hearing**.
- The Panel may conduct such interviews before the hearing as it sees fit. The Panel will arrange for the parent(s) to be given, before the hearing, either a copy of the minutes of the interviews or a summary of the comments made by the interviewees that are relevant to the parent’s complaint.
- **At least three days prior to the hearing** the parent(s) shall submit to the Clerk copies of all documentation they intend to rely upon at the hearing.
- On request, the parent(s) shall be provided with a copy of their child’s school file.
- There may be circumstances where it would be more suitable to hold the hearing outside the School. In those circumstances, the Clerk will arrange for a more neutral location (e.g. another school in the locality).
- The parent(s) may be accompanied at 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 parent’s complaint immediately without the need for further

investigation. Where further investigation is required, the Panel will decide how it should be carried out.

- If the Chair of the Panel shall so decide, the proceedings may be recorded.
- The Chair of the Panel will not normally permit any person under the age of 18 or any pupil at the School to attend the hearing.
- If the Chair of the Panel reasonably believes that the Panel should hear evidence from an individual in private (i.e. in the absence of the parent(s) bringing the complaint or any third party), the Chair may so decide. In those circumstances, the parent(s) will be given reasons for that decision. The parent(s) will be given a summary of the individual's evidence after the event if the Chair believes the evidence to be relevant to the parent's complaint.
- The Panel may make decisions by majority vote.
- The Panel's findings in relation to the parent's complaint shall be documented in the form of a report.
- **Within ten days** after the hearing, the Clerk will send the parent(s) and the Headmaster a copy of the Panel's draft report. If the parent(s) believe that the Panel has not accurately summarised their complaint in the report, the parent(s) shall inform the Clerk in writing within seven days thereafter, giving details of the alleged inaccuracies. If the Headmaster believes that the Panel has not accurately summarised his/her views in relation to the parent's complaint, the Headmaster shall likewise inform the Clerk, in writing within seven days thereafter, giving details of the alleged inaccuracies. The Panel shall then finalise its report.
- The Panel's report will be sent to the parent(s), the Headmaster, the Governors and, where relevant, the person complained about.
- The Panel's report shall state its decision in respect of the parent's complaint. The decision of the Panel in respect of the parent's complaint will be final and binding.
- Subject to the rules set out in this document, the Panel may regulate their proceedings as they see fit.

### **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.

### **Recording, Monitoring and Review**

Records of complaints which do not have safeguarding implications will be retained for a minimum of seven years. Records concerning allegations of abuse will be retained until the accused has reached normal pension age or for 10 years from the date of the allegation if this is longer. The record shall indicate whether a complaint was resolved at the preliminary stage or proceeded to a panel hearing.

The written record of complaints specifically identifies those complaints relating to boarding provision and the actions taken by the school as a result of these complaints (regardless of whether or not they are upheld).

Complaints proceeding to Stage 2 or 3 will be recorded noting at what stage the complaint has been resolved, the action taken by the school as a result of the complaint and whether or not the complaint was upheld.

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Secretary of State and an inspection body under part 7, paragraph 33 (k) of the Education (Independent Schools Standards) Regulations 2014 and under section 109 of the Education and Skills Act 2008 or other legal authority.

The Governors 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 annually to ensure it meets statutory requirements and continues to reflect best practice.

Parents and prospective parents may request from the School details of the number of complaints registered under the formal procedure during the preceding school year.

In the academic year 2023/24, Milton Abbey received three formal complaints.