

# **Concerns and Complaints Policy**

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## **Independent Co-educational Day School**

### **L'école Bilingue**

1<sup>st</sup> September 2018

In order to comply with Independent school regulations, we inform you that L'Ecole Bilingue received no complaint at formal stage so far.

## 1 Introduction

- 1.1 **Aim:** L'école Bilingue (**School**) will ensure that any concern or complaint is managed sympathetically, quickly and at the appropriate level. Where necessary we will review our systems and procedures in light of the circumstances of the complaint.
- 1.2 **Policy statement:** We recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment and therefore we need to know as soon as possible if there is any cause for dissatisfaction. Parents and pupils should never feel that a complaint will be taken amiss or will adversely affect a pupil or his / her opportunities at this school. This policy distinguishes between a concern or difficulty which can be resolved informally and a formal complaint which will require investigation.
- 1.3 **Parent(s) / You:** Includes a current or legal guardian or education guardian, and may at our discretion include a parent whose child has recently left the School.
- 1.4 **Timescales:** We aim to resolve any complaints in a timely manner. Timescales for each stage are set out below in the relevant paragraphs. When we refer to **working days**, we mean Monday to Friday, during term time. The dates of terms are published on the School's website.
- 1.5 **Three stages:** There are three stages to our procedure:
- **Stage 1:** informal raising of a concern or difficulty to a member of staff orally or in writing
  - **Stage 2:** a formal complaint in writing to the Headteacher
  - **Stage 3:** a reference to the Complaints Panel
- 1.6 **Application:** Separate procedures apply in the event of a child protection issue, or if the Headteacher expels or asks a pupil to leave and the parents seek a Review of that decision in accordance with the School's contractual terms and conditions.
- 1.7 **A concern about the safety of your child should be notified immediately to the person you believe is best placed to take urgent action and should be confirmed in writing to the Headteacher.**

## 2 Management of complaints

- 2.1 **Complaints Co-ordinator:** The Complaints Co-ordinator is a senior member of staff appointed by the Headteacher to be responsible for the co-ordination and administration of the Complaints Procedure. The Complaints Co-ordinator for the School is Franck Laurans. If the Complaints Co-ordinator is unavailable or is the subject of the complaint, his duties will be carried out by the Headteacher or another senior member of staff.
- 2.2 The main responsibilities of the Complaints Co-ordinator are to:
- be the first point of contact while the matter remains unresolved and keep records
  - co-ordinate the complaints procedures in School
  - arrange assistance for parents who require this, for example, because of a disability
  - maintain an on-going training programme for all School employees in relation to complaints

- monitor the keeping, confidentiality and storage of records in relation to complaints
- report regularly to the Headteacher with respect to complaints.

2.3 **Complaints Form:** Every concern or complaint notified to a member of staff will be noted, together with the action taken, on a standard form. A sample of the form is attached to this policy in Appendix 3. This form can be made available in large print or other accessible format if required.

### 3 Stage 1: concerns and difficulties

3.1 **Concerns:** We expect that most concerns can be resolved informally. For example, dissatisfaction about some aspect of teaching or pastoral care or a billing error. Complaints of discrimination, harassment or victimisation are taken very seriously and may need to be dealt with at **Stage 2** without action at **Stage 1**.

3.2 **Notification:** If appropriate, please raise the concern initially as follows:

3.2.1 **education issues:** if the matter relates to the classroom, the curriculum or special educational needs, please speak or write to your child's Teacher;

3.2.2 **pastoral care:** for concerns relating to matters outside the classroom, please speak or write to your child's Teacher or the Complaints Co-ordinator;

3.2.3 **disciplinary matters:** a problem over any disciplinary action taken or a sanction imposed should be raised first of all with the member of staff who imposed it, and, if not resolved, with the Headteacher;

3.2.4 **financial matters:** a query relating to fees or extras should be stated in writing to the director of administration

3.2.5 **Early Years Foundation Stage (EYFS):** parents can make a complaint to Ofsted, although it is expected that complaints will go through the School's complaints procedure first. Details of how to contact Ofsted are given at the end of this procedure, see Appendix 2.

3.3 **Acknowledgement:** We will acknowledge a written notification by telephone, fax, e-mail or letter within 2 working days of receipt during term time and within 5 days in the holidays. A matter raised orally will not necessarily be acknowledged in writing but a Complaints Form will be completed, and a copy sent to the Complaints Co-ordinator.

3.4 **Unresolved concerns:** A concern which has not been resolved by informal means within 15 working days should be notified in writing as a formal complaint which will be dealt with in accordance with Stage 2 below.

### 4 Stage 2: formal complaint

4.1 This stage of the procedure deals with any concerns not resolved under **Stage 1**. It may be appropriate for complaints which need investigation or any dissatisfaction with some aspect of the School's policies or management to proceed straight to Stage 2.

4.2 **Notification:** You should set out your complaint in writing with full details and send it with all relevant documents and your full contact details to the Headteacher or to the Complaints Co-ordinator. Your complaint will be acknowledged by telephone fax, e-mail or letter within 2 working days during term time and within 5 days during the holidays. On receipt of your

complaint we will indicate the action that is being taken and the likely time scale. A Complaints Form will be completed and sent to the Complaints Co-ordinator.

- 4.3 **Investigation:** The Headteacher may ask a senior member of staff to act as **Investigator**. The Investigator may request additional information from you and will probably wish to speak to you personally and to others who have knowledge of the circumstances.
- 4.4 **Outcome:** The outcome of the investigation will be reported to the Headteacher who will then notify you by telephone, fax, e-mail or letter of her decision and the reasons for it. Written records will be kept of all meetings and interviews held in relation to your complaint. The complainant will be informed of the outcome of the investigation within 28 working days from the receipt of the complaint unless there are exceptional circumstances. If there is a delay in resolving the complaint the complainant will be informed of the new time scale as soon as practicable.
- 4.5 Please note that any complaint received within one month of the end of term or half term is likely to take longer to resolve owing to the presence of school holidays and the unavailability of personnel.
- 4.6 **Early Years Foundation Stage:** You will be notified of the outcome of the investigation within 28 days of the complaint being received.

## 5 Stage 3: reference to the Complaints Panel

- 5.1 A Complaints Panel (**Complaints Panel**) hearing is a review of the decisions taken by the Headteacher. The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure. The Panel's task is to establish the facts surrounding the complaint by considering:
- the documents provided by both parties and
  - any representations made by you and the Headteacher
- and to reach a decision on a balance of probabilities.
- 5.2 **Composition:** The Panel hearing your complaint will consist of at least three independent members none of whom have any connection with the governance, management and running of the School. They are people who have held a position of responsibility and who are used to analysing evidence, for example, civil servants, legal professionals and retired members of the Police Force. You may ask the Complaints Co-ordinator to tell you who has been appointed to sit on the Panel.
- 5.3 **Chair:** The hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in an informal manner.
- 5.4 It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, pupils, or parents. The Panel may make recommendations on these or any other issues to the Headteacher or to the Directors as appropriate.
- 5.5 **Notification:** To request a hearing before the Complaints Panel please write to the Complaints Co-ordinator within 5 working days of the decision complained of. Your request will usually only be considered if you have completed the procedures at **Stages 1 and 2**

Please ensure that:

- a copy of all relevant documents and your full contact details accompany your letter to the Complaints Co-ordinator
- your letter states the outcome that you desire and all the grounds of your complaint
- the Complaints Co-ordinator is sent a list of the documents which you believe to be in the School's possession and wish the Panel to see.

The Complaints Co-ordinator will acknowledge your request in writing within 2 working days of receipt. If you require assistance with your request, for example, because of a disability, please contact the Complaints Co-ordinator who will be happy to make appropriate arrangements.

- 5.6 **Convening the Panel:** The Complaints Panel will be convened as soon as reasonably practicable, but the Panel will not normally sit during half terms or school holidays.
- 5.7 **Notice of hearing:** Every effort will be made to enable the Panel hearing to take place within 10 working days of the receipt of your request. As soon as reasonably practical and in any event, at least 7 working days before the hearing, the Complaints Co-ordinator will send you written notification of the date, time and place of the hearing, together with brief details of the Panel members who will be present. The hearing will normally follow the procedure set out in Appendix 1.
- 5.8 **Attendance:** You will be invited to attend the hearing and may be accompanied by one other person such as a relative, teacher, or friend. If you wish to be accompanied by a legally qualified person, acting in their professional capacity, please notify the Complaints Co-ordinator at least 3 working days before the hearing. Copies of any additional documents you wish the Panel to consider should be sent to the Complaints Co-ordinator at least 3 working days prior to the hearing.
- 5.9 **Hearing:** 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. The Complaints Co-ordinator will take a handwritten minute of the proceedings. The Panel will not consider any new areas of complaint unless these matters could not reasonably have been known previously. The introduction of new areas of complaint will be at the discretion of the Chair. All those present at the hearing shall have the opportunity of asking questions and making comments in an appropriate manner. The hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and / or may take written statements into account.
- 5.10 **Conduct:** 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 Chair. If terminated, the Chair has the discretion to hold that the original decision will stand. 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.
- 5.11 **Adjournment:** The Chair may, at his / her discretion, adjourn the hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.
- 5.12 **Decision:** The Panel will reach a decision on a balance of probabilities unless there is an agreed position. The decision shall be confirmed in writing to you by electronic mail normally within 7 working days of the hearing. If you do not wish to receive the decision by electronic mail, a copy will be given or posted to you. The decisions, findings and any recommendations will be available for inspection on the School premises by the Governing Body and the Head. Reasons for the decision will be given. The decision may include recommendations and will be sent to you, the Complaints Co-ordinator, the Headteacher and, where relevant, any person about whom the complaint has been made.

- 5.13 **Private proceeding:** A hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be made available directly or indirectly to the press or other media.
- 5.14 **Confidentiality:** A written record will be kept of all complaints, and of whether they were resolved at Stage 1, Stage 2 or proceeded to a panel hearing. The number of complaints registered under the formal procedure during the preceding school year will be supplied to parents on request.
- 5.15 **Record Keeping:** Correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested by the Secretary of State or a body conducting an investigation under section 162A of the Education Act 2002 or where disclosure is required in the course of a school's inspection or under other legal authority. In accordance with data protection principles, details of individual complaints will normally be destroyed following each school inspection. In exceptional circumstances, some details will be retained for a further period as necessary.
- 5.16 **Early Years Foundation Stage:** The Complaints Co-ordinator will keep a written record of complaints and their outcome and will provide Ofsted 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.

## **6 Additional Information**

- 6.1 **Circulation:** This policy is addressed to the Directors, to all members of the teaching and pastoral staff, including school medical staff and nursing staff; and, on request, to parents. A copy can be downloaded from the School's website.
- 6.2 This policy can be made available in large print or other more accessible format, if required. If you require assistance with making a complaint, for example because of a disability, please contact the Complaints Co-ordinator who will be happy to make appropriate arrangements.
- 6.3 **Policy status:** The policy has been approved by the Headteacher and the Directors of the School. It provides guidelines for handling concerns and complaints. It takes account of paragraph 25 of schedule 1 to the Education (Independent School Standards) (England) Regulations 2010 (SI 2010/1997), and the requirements of the Early Years Foundation Stage statutory framework. The policy applies to all sections of the school including Early Years. The procedures set out may be adapted as appropriate to meet the policy aims and circumstances of each case. Certain parts of the procedures can only be carried out during term time.

### Timetable of Procedure

#### Action

#### Time Period

#### Stage 1 - Informal Stage

Complaint raised informally with the appropriate member of staff.

Complaint to be acknowledged. Within 2 working days during term time or 5 days during the holidays.

Complaint to be raised formally in accordance with Stage 2. If the complaint is not dealt with satisfactorily within 15 working days.

#### Stage 2 - Formal Stage

Complaint raised formally in writing with the Headteacher or the Complaints Co-ordinator.

Complaint to be acknowledged. Within 2 working days during term time or 5 days during the holidays.

Complainant to be informed of the outcome of the investigation. Within 28 working days of the complaint being formally raised.

#### Stage 3 - Complaints Panel

Complainant to write to the Complaints Co-ordinator to request a hearing. This should be done within 5 working days of the decision to which the complainant objects.

The complainant's request to be acknowledged in writing. Within 2 working days of receipt of the request for a hearing.

The hearing will (normally) take place. Within 10 working days of receipt of the request for a hearing.

The complainant will be sent written notification of the date, time and place of the hearing and brief details of the Panel members to be present. At least 7 working days before the hearing.

The complainant should notify the Complaints Co-ordinator of any additional documents for the Panel to consider. At least 3 working days before the hearing.

The complainant should notify the Complaints Co-ordinator if they will be legally represented at the hearing.      At least 3 working days before the hearing.

The complainant, the Headteacher and (if relevant) the person about whom the complaint was made to be notified of the Panel's decision.      Within 7 working days of the hearing.

|                      |                             |
|----------------------|-----------------------------|
| <b>Authorised by</b> | Resolution of the Directors |
| <b>Date</b>          | [00 month year]             |

|                                     |   |
|-------------------------------------|---|
| <b>Effective date of the policy</b> | [00 month year]   |
| <b>Circulation</b>                  | Directors / teaching staff / all staff / parents / pupils on request  |
| <b>Status</b>                       | Complies with paragraph 25 of the schedule to the Education (Independent Schools Standards) (England) Regulations 2010 (SI 2010/1997) |



## Appendix 1 Procedures to be followed at a hearing of the Complaints Panel

1 **Meeting format:** The meeting will take the form of a "round the table" hearing and is designed to ensure that all parties have the opportunity to present their views. The following will be present throughout the hearing:

- the Panel Members
- the Complaints Co-ordinator. The Complaints Co-ordinator will take notes of the meeting which will belong to the Chair and will not be verbatim. The Chair can authorise the release of the Clerk's notes on condition that they remain confidential
- the parents who have made the complaint and any person that the parents have brought as a supporter
- the Headteacher
- any other appropriate member of staff.

**Note:** Any witnesses called by any of the above parties may be asked to make their contribution and then leave rather than staying for the whole proceeding.

### 2 Suggested agenda

- 2.1 Welcome and introductions by the Chair.
- 2.2 Parents present their complaints. Where two parents are present, it is often more helpful if one parent undertakes the responsibility of presentation and answering of questions.
- 2.3 The Panel and the Headteacher may ask questions of parents for clarification. Questions should be put through the Chair of the Panel who can intervene if he / she thinks that questions are inappropriate or are straying into cross examination.
- 2.4 The Headteacher puts her case, explaining the reasons for the decision and consideration and calling witnesses if necessary.
- 2.5 The Parents and Panel members may ask questions of the Headteacher for clarification. Again such questions should be put through the Chair who can intervene as necessary.
- 2.6 The Headteacher is invited to make any further relevant points.
- 2.7 The Parents are then invited to make any further relevant points.
- 2.8 When the Panel is satisfied that it has established facts sufficient for it to make its decision, the Chair may bring the hearing to a close and inform the parties that they will be notified in writing of the decision, normally within 7 working days.

3 **Legal advice:** If, during the hearing, parents introduce legal points on which the Panel feel they will need advice, they will consider one of two options:

- 3.1 the Panel may decide to take a careful note of points made and to consider the advice of the School's lawyers before making their final decision; or
- 3.2 if the Panel feel that an immediate response is required, they may adjourn the hearing to take telephone advice from the School's lawyers.

## Appendix 2 Contacting Ofsted

### Contacting Ofsted

#### Early Years Foundation Stage

The School is inspected by Ofsted, an independent organisation which reports to the Government on schools. Parents have the right to contact an inspector if they have a complaint. Ofsted will usually expect parents to have followed the School's formal complaints procedure before contacting them. However, you can report your concerns to Ofsted on 0300 123 4234. Further details are available on the Ofsted web site ([www.ofsted.gov.uk](http://www.ofsted.gov.uk))

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### Appendix 3 Complaints form

This form is to be completed by any member of staff who receives a complaint or a parent who wishes to make a complaint. It should be passed to the Complaints Co-ordinator.

| <b>What is the nature of the complaint? (Please tick)</b>  |   |
|--|---|
| <input type="checkbox"/> Staff conduct   | <input type="checkbox"/> Parental conduct                                       |
| <input type="checkbox"/> Teaching standards  | <input type="checkbox"/> Pastoral care  |
| <input type="checkbox"/> Condition of premises   | <input type="checkbox"/> Timetabling  |
| <input type="checkbox"/> Matters of regime and routine   | <input type="checkbox"/> Access to or regulation of extra curricular activities |
| <input type="checkbox"/> Other (please give details)   |   |
| <b>Please give details of the complaint</b>  |   |
|  |   |
| Date[s] of incident  | Time[s]   |
| <b>If the complaint is about someone's behaviour please give the names of any witnesses to the incident[s]</b> |   |
|  |   |
| <b>Action taken</b>  |   |
|  |   |
| Name   | Position (staff or parent)  |
| Signed   | Date  |

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