BURLINGTON
HOUSE SCHOOL

COMPLAINTS (OTHER THAN PARENTS) POLICY

This document has been updated 1 June 2024 to take effect by 1 September 2024 at the latest.

Date of issue: 1st September 2024
Review Cycle: Triennial
Next Review Date: September 2027

Burlington House school Tooting is owned and operated by Cavendish Education.

This policy is one of a series of school policies that, taken together, are designed to form a comprehensive statement of the school's aspiration to provide an outstanding education for each of its students and of the mechanisms and procedures in place to achieve this. Accordingly, this policy should be read alongside these policies. In particular it should be read in conjunction with the policies covering equality and diversity, Health and Safety, safeguarding and child protection.

All of these policies have been written, not simply to meet statutory and other requirements, but to enable and evidence the work that the whole school is undertaking to ensure the implementation of its core values.
While this current policy document may be referred to elsewhere in School documentation, including particulars of employment, it is non-contractual.

In the school's policies, unless the specific context requires otherwise, the word "parent" is used in terms of Section 576 of the Education Act 1996, which states that a 'parent', in relation to a child or young person, includes any person who is not a biological parent but who has parental responsibility, or who has care of the child. Department for Education guidance Understanding and dealing with issues relating to parental responsibility updated August 2023 considers a 'parent' to include:

- all biological parents, whether they are married or not

- any person who, although not a biological parent, has parental responsibility for a child or young person - this could be an adoptive parent, a step-parent, guardian or other relative
- any person who, although not a biological parent and does not have parental responsibility, has care of a child or young person

A person typically has care of a child or young person if they are the person with whom the child lives, either full or part time and who looks after the child, irrespective of what their biological or legal relationship is with the child.

The school employs the services of the following consulting companies to ensure regulatory compliance and the implementation of best practice:

- Peninsula BrightHR
- Peninsula BusinessSafe (Health and Safety)
- Atlantic Data (DBS)
- Educare (online CPD)
- SchoolPro (data protection)
- Marsh Commercial (insurance)

Where this policy refers to 'employees', the term refers to any individual that is classified as an employee or a worker, working with and on behalf of the school (including volunteers and contractors).

Burlington House School Tooting is committed to safeguarding and promoting the welfare of children and young people and expects all staff, volunteers, pupils and visitors to share this commitment.

All outcomes generated by this document must take account of and seek to contribute to safeguarding and promoting the welfare of children and young people at Burlington House School Tooting School.

The policy documents of Burlington House School Tooting are revised and published periodically in good faith. They are inevitably subject to revision. On occasions a significant revision, although promulgated in school separately, may have to take effect between the re-publication of a set of policy documents. Care should therefore be taken to ensure, by consultation with the Senior Leadership Team, that the details of any policy document are still effectively current at a particular moment.

1 Introduction

Burlington House School Tootingis proud of the quality of teaching and pastoral care provided to its students and is committed to meeting the needs of its various stakeholders so that any issues or queries can be dealt with positively and proactively.

However, if an individual who is not covered by the school's Parental Complaints Policy has a concern they wish to complain about, they can expect it to be treated by the School in accordance with the following procedure.

It should be noted that unlike the Parental Complaints Policy, which is based on the School's obligations under the The Education (Independent Schools Standards) Regulations 2014, there is not a requirement for the school to have a procedure in place to hear non-parental complaints. However, due to the school's intention to work closely and positively with all stakeholders, and to use complaints as a source of feedback that can help it to continuously improve, these discretionary procedures exist.

This policy is available on the school website and can be made available in hardcopy upon request to the Headteacher's office. It can also be made available in larger print or in a more accessible format if required. If someone needs assistance raising their concern or complaint at any Stage in the procedure, for example because of a disability, they should contact the Headteacher's office who will be happy to make appropriate practicable arrangements.

The procedures set out below may be adapted on occasion as appropriate to meet the policy aims and the circumstances of each case.

2 Aim and Outline Summary

The aim of the school's Complaints (Other Than Parents) Policy is to provide a structure to ensure that any other-than-parental complaint is managed appropriately and effectively.

We are always interested to receive feedback and hear any concerns, and we do our best to respond constructively and in a timely way. Often, by receiving and responding to feedback, there is an opportunity to reflect, learn and make adjustments.

Potential complainants are assured that the school aims to treat all complaints seriously, sensitively and confidentially.

3 Confidentiality

As appropriate, all participants (including non-parents, parents and staff members) utilising the school's Complaints (Other Than Parents) Policy must ensure that correspondence, statements and records relating to individuals are kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.

4 Scope

The provisions and entitlements of the school's Complaints (Other Than Parents) Policy apply to relevant individuals who may wish to make a complaint and who are not covered by the Parental Complaints Policy.

Please note that:

- parents should refer to the Parental Complaints Policy and are not able to have their concerns considered via the Non-Parental Complaints Policy
- for regulatory and confidentiality reasons, other than in relevant safeguarding circumstances, the school does not process complaints made by someone on behalf of a parent or another person's child apart from themselves and their child
- students regardless of their age should address any complaint to their Form Tutor, classroom teacher, Head of Year, member of the Senior Leadership Team, the School Council
- a complaint from a staff member will usually be dealt with by the school's Grievance Policy
- those using services provided by providers other than the school who may use school premises or facilities; such complaints should be directed to those providers who will have their own complaints procedure

Given the importance placed upon safeguarding in the school, complaints about some safeguarding / child protection matters will be primarily handled under the school's child protection and safeguarding policy and in accordance with relevant statutory guidance.

5 Offering possible resolution to complaints

Individuals using this Complaints (Other Than Parents) Policy are encouraged to share what actions they feel might resolve the problem at any Stage, which may assist the School in making its response.

The school seeks to keep in mind ways in which a complaint can be appropriately resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part, and it may be appropriate to offer one or more of the following:

- an apology
- an explanation
- an admission that something could have been handled differently or better

- an assurance (where possible) that the event complained of will not recur, with an explanation of the steps that have been taken to reasonably ensure that it will not happen again
- an undertaking to review School policies or practice in light of the complaint
- a dismissal of the complaint in whole or in part, with an explanation why that dismissal is appropriate

An admission that the school could have handled a situation better is not the same as an admission of negligence.

6 Managing Other-Than-Parental Complaints

This Policy contains a complaints procedure to deal with complaints from individuals who are not parents of pupils.

It provides for three Stages: informal, formal and a governance review.

An individual who is not a parent with a complaint is asked to follow the three Stages of the procedure in sequence.

6a STAGE 1 – Informal Resolution

It is hoped that most complaints will be resolved quickly and informally.

Initiating a Stage 1 complaint: If an individual wishes to make a complaint they should normally contact the school. In most cases the matter will be resolved at this point to the individuals' satisfaction. Individuals may make the complaint through a telephone call, email, in person or by letter.

The school will nominate an individual to consider the Stage 1 complaint and to respond to the complainant within **10 school working days** (or during the school holidays within **15 school working days**).

The nominated member of staff will make notes of all complaints and the dates on which they were received and concluded at Stage 1.

All identified Stage 1 complaints are logged centrally by the School.

In the event that the Stage 1 process does not reach a satisfactory resolution, then the complainant will be advised to proceed to Stage 2 below.

6b STAGE 2 – Formal Resolution

A complaint will usually progress to the formal stage (Stage 2) only after first being considered at the preliminary stage (Stage 1) and only then if the complainant

explicitly intends to escalate a matter to the formal stage.

Initiating a Stage 2 complaint: If the complaint cannot be resolved on an informal basis at Stage 1, then the complainant should put their complaint in writing to the Headteacher, giving details of their complaint (such as dates / times of events, relevant documentation etc). The Headteacher will acknowledge receipt of the complaint **within 5 school working days** (or as soon as reasonably practicable during school holidays).

The Headteacher will decide, after due consideration, the appropriate course of action to take. In most cases they or a member of the team will meet with the person(s) concerned **within 10 school working days** of receiving the complaint, to discuss the matter.

If possible, a resolution will be reached at this stage. If further investigation is required, the Headteacher will normally delegate that responsibility to a member of their team; that person will report back to the Headteacher, without themselves making a judgement on the complaint.

Once the Headteacher is satisfied that so far as practicable all of the relevant facts have been established they will review all relevant material, form a judgement and then will confirm the outcome of the Stage 2 to the complainant in writing, normally **within 20 school working days**. If a longer period is required for the Stage 2 process, they will write to the complainant(s) to explain the reasons.

The team will keep written records of all meetings and interviews held in relation to the complaint.

If the complainant is not satisfied with the outcome at the end of the Stage 2 process, they should proceed to Stage 3 by contacting the governance body **within 5 school working days** of their receipt of the formal completion of the Stage 2 process.

6c STAGE 3 – Formal Resolution

If individuals seek to invoke Stage 3 if they are not satisfied with the Stage 2 outcome, they are referred to a member of the Governance Board.

A member of the governance team will be appointed to consider the complaint.

Contrary to the Parental Complaints Policy, there will not be a Panel, an independent representative or a hearing as part of the Stage 3 procedure for non-parental complaints.

Once appointed, the governance colleague considering the complaint will review steps taken thus far by the school, will engage with those who have managed the process at

Stage 1 and Stage 2 and will consider whether the School has acted reasonably and considered the complaint appropriately.

If required, further investigation and fact finding will take place in order to ensure the Stage 3 review has been sufficiently robust.

In the event of an individual stating their intention to initiate or having initiated legal proceedings with regard to the complaint, the governance colleague will usually still go ahead in accordance with this Policy but reserves the right to delay their response or terminate the process, if appropriate.

The complainant will receive the outcome of the Stage 3 review in writing **within 21 school working days**.

In all cases of a complaint reaching Stage 3, the School will take the opportunity, outside of the Complaints Procedure, formally to look beyond the immediate complaint to ensure that it does not represent a deeper problem that needs to be remediated.

6d What an individual should do if dissatisfied with the Stage 3 outcome

The conclusion of a Stage 3 complaint is the final step in the School's procedures.

7 Potential impacts on timeframes

If other bodies are investigating aspects of the complaint, for example the police, local authority safeguarding teams or Tribunals, this may impact on the School's ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. Where any such delay can be avoided, it will be.

8 Exceptions to procedure

Where there is a particularly serious complaint that needs to be raised, then it is possible for an individual to take it directly to the Headteacher, circumventing Stage 1.

A particularly serious complaint in this context might include matters of Child Protection, personal safety, confidential health or family issues or when there is a significant allegation made against a member of staff. In such instances, it may be appropriate / necessary to initiate other(s) of the school's policies and procedures.

9 A complaint against the Headteacher

A complaint against the Headteacher should be made via info@cavendisheducation.com to the governance team at Cavendish Education. The Group Managing Director will nominate an individual, who will normally manage it as a Stage 2 Complaint in the first instance, giving the complainant the opportunity to progress to Stage 3 thereafter should they so decide. In the latter instance, the governance colleague who dealt with the Stage 2 process will not be involved in the Stage 3 process.

A significant allegation against the Headteacher will be managed directly either as a Stage 3 Complaint (without going through Stage 2) or separately under the terms of the School's Safeguarding Policy.

10 Withdrawing a complaint

Individuals are entitled to halt their Complaint at any point in the procedure if they so wish; if so, they are asked to confirm this decision in writing.

11 Review of implementation

The implementation of this Policy is reviewed annually by the school's Senior Leadership Team in consultation with staff and a report is made to the Governance Body.

The school may submit to Cavendish Education proposals for amendments to this Policy.