



Education is that which liberates

# 33a Procedures for Complaints (A14-E7)

## The Swaminarayan School

260 Brentfield Road  
Neasden  
NW10 8HE  
Tel No: 0208 965 8381  
Fax No: 0208 961 4042  
[www.swaminarayan.brent.sch.uk](http://www.swaminarayan.brent.sch.uk)

**Governor in charge: Dipak Patel**

Last Reviewed and updated by N Manani January 2017

Next Review date: May 2017

## COMPLAINTS PROCEDURE

### Introduction

*The Swaminarayan School (TSS) has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a complaint, they can expect it to be treated by the school with care and in accordance with this procedure. TSS makes its complaints procedure available to all parents of pupils [and of prospective pupils] on the school's website and in the school office during the school day, and **TSS will ensure that parents of pupils (and of prospective pupils) who request it are made aware that this document is published or available and of the form in which it is published or available.***

### What Constitutes 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.

**Parents can be assured that all concerns and complaints will be treated seriously and confidentially. The school is here for your child and you can be assured that your child will not be penalised for a complaint that you [or your child] raises in good faith.**

### The three-stage Complaints Procedure

#### Stage 1 - Informal Resolution

- It is hoped that most complaints and concerns will be resolved quickly and informally.
- If parents have a complaint they should normally contact their son/daughter's *teacher*. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the *teacher* cannot resolve the matter alone it may be necessary for *him/her* to consult a *head of department/the Deputy Head/the Head*.
- Complaints made directly to a *head of department/the Deputy Head/the Head* will usually be referred to the relevant *teacher* unless the *head of department/the Deputy Head/the Head* deems it appropriate for him/her to deal with the matter personally.
- The *teacher* will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved **within 5 school days** or in the event that the teacher and the parent fail to reach a satisfactory resolution then parents will be advised to proceed with their complaint in accordance with stage 2 of this procedure.
- If, however, the complaint is against the Head, parents should make their complaint directly to the Chairman of Governors.

## Stage 2 - Formal Resolution

- If the complaint cannot be resolved on an informal basis then the parents should put their complaint in writing to the Head. The Head will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Head will meet/speak to the parents concerned, **within 5 school 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 Head to carry out further investigations.
- The Head will **keep written records** of all meetings and interviews held in relation to the complaint.
- Once the Head is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The Head will also give reasons for his/her decision.
- If the complaint is against the Head, the Chairman of Governors will call for a full report from the Head and for all the relevant documents. The Chairman may also call for a briefing from members of staff, and will in most cases, speak to or meet with the parents to discuss the matter further. Once the Chairman is satisfied that, so far as is practicable, all of the relevant facts have been established, the parents will be informed of the decision in writing. The Chairman will give reasons for his/her decision.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

## Stage 3 - Panel Hearing

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they will be referred to the convenor who has been appointed by the Governors to call hearings of the Complaints Panel.
- **The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of three persons not directly involved in the matters detailed in the complaint and one of whom shall be independent of the management and running of the school.** The convenor, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place **within 10 school days**.
- 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 all parties **not later than 5 school days** prior to the hearing.
- **The parents may attend the hearing and be accompanied to the hearing by one other person if they wish.** This may be a relative, teacher or friend. Legal representation will not normally be appropriate.
- If possible, the Panel will resolve the parents' complaint without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.

- After due consideration of all facts they consider relevant, **the Panel will make findings and may make recommendations.**
- The Panel will write to the parents informing them of its decision and the reasons for it, **within 5 school working days of the hearing** (although additional time may be required if it is necessary to carry out further investigations following the hearing). The decision of the Panel will be final. **A copy of the Panel's findings and recommendations (if any) will be sent by electronic mail or otherwise given to the parents, and, where relevant, the person complained about** as well as the Chairman of Governors and the Head. **A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the school premises by the Chairman of Governors and the Head.**

#### Timeframe for Dealing with Complaints

All complaints will be handled seriously and sensitively. They will be acknowledged within 5 working days if received during term time and as soon as practicable during holiday periods.

It is in everyone's interest to resolve a complaint as speedily as possible: the school's target is to complete the first two stages of the procedure **within 20 school days**. Stage 3, the Appeal Panel Hearing, will be completed **within a further 20 school days**.

Please note that, for the purposes of this procedure, 'school days' refers to weekdays (Monday to Friday) during term time and does not include teacher training days.

#### Recording Complaints

Following resolution of a complaint, the school will keep a written record of all complaints and whether they are resolved at the preliminary stage or proceed to a panel hearing. At the school's discretion, additional records may be kept which may contain the following information:

- Date when the issue was raised
- Name of parent
- Name of pupil
- Description of the issue
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name of member (s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations)

Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required by paragraph 33(k) of Schedule 1 to the Education (Independent Schools Standards) Regulations 2014.

Parents can find out from the school about the number of complaints it has received in the current academic year.

**[THIS SECTION MUST BE INCLUDED BY EYFS PROVIDERS, RELATING TO THE REQUIREMENTS UNDER THE STATUTORY FRAMEWORK FOR THE EYFS: *The Swaminarayan School* will provide ISI/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. The record of any such complaints will be kept for at least three years.**

Parents may complain directly to Ofsted or to ISI if they believe the provider is not meeting the EYFS requirements. Schools must make available details of how to contact Ofsted and/ or ISI:

- Ofsted may be contacted on 0300 1234 234 or by email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk).]
- ISI may be contacted on 020 7600 0100 or by email: [concerns@isi.net](mailto:concerns@isi.net)]

In the event that we are unable to resolve a contractual dispute with a parent, the school can offer Alternative Dispute Resolution (ADR) through a certified ADR provider, whose name and address can be made available.

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