

# COMPLAINTS POLICY AND PROCEDURES

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### 1 Introduction

The aim of this document is to set out the manner in which complaints are dealt with. Oakham School has long prided itself on the quality of the teaching and pastoral care provided to its pupils and the care it has for the wider community. However, if parents or pupils do have a complaint, they can expect it to be treated by the School with care and in accordance with this policy.

The Complaints Policy is available to all parents of pupils and of prospective pupils on the School's website. When a complaint is raised, a copy of the policy is routinely sent to parents, but can also be requested from the School Office. The procedure for pupils is published in the Student Organiser.

All concerns and complaints will be treated seriously and dealt with sympathetically, effectively and appropriately. Every effort will be made to ensure that complaints are resolved as quickly as possible in a positive way with the aim of putting right some aspect of school life which may have gone wrong. Where necessary, the School's systems and practices will be reviewed in light of the circumstances leading to the complaint.

This policy and its procedures have been approved by the Headmaster and Trustees and have been drawn up with regard to and in compliance with the Schedule 1, Part 7 of the (Independent School Standards, England) Regulations 2014 and NMS (2022) Standard 14.

The procedures set out below may be adapted as appropriate to suit the circumstances of each particular case. Some of the procedures can only be carried out during term time. Separate procedures may apply in the event of a complaint or concern regarding child protection or safeguarding matters. In the event of any conflict between this policy and the Child Protection Policy, the Child Protection Policy will be followed."

#### 1.2 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

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member of staff. A complaint is likely to arise if someone believes that the School has done something wrong, failed to do so something that it should have done, or acted unfairly.

Parents and pupils are assured that a parent and/or pupil will not be penalised for a complaint that is raised in good faith.

## 1.3 Timescales

The School should be informed as soon as possible if there is any cause for dissatisfaction and all concerns and complaints will be addressed in a timely fashion. Timescales for each stage are set out below. Reference to “working days” means Monday to Friday during term time. The dates of school terms are published on the School’s website and in the termly School Calendar.

## 2 Procedure for Parents

This procedure may only be used by the parents of current pupils. “Parent(s)” means the holder(s) of parental responsibility for a pupil about whom the complaint relates. Whilst there is no obligation to allow access to the complaints procedures for prospective parents, there may be occasions when it is appropriate. This will be decided by the Headmaster.

Complaints by parents of former pupils will be dealt with under this procedure only where the complaint was initially raised when the pupil to which the complaint was raised was still registered at the School.

### 2.1 Timeframe for Dealing with Complaints

All complaints will be handled seriously, sensitively and within clear and reasonable time scales. They will be acknowledged within five 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 for dealing with complaints is as follows:

- To complete the first two stages of the procedure within 20 working days if the complaint is lodged during term-time, and as soon as practicable during holiday periods.
- To complete Stage 3, the Appeal Panel Hearing, within a further 20 working days, if the appeal is lodged during term-time, and as soon as practicable during holiday periods.

In relation to all complaints, parents will be kept informed where the School requires reasonable additional time for investigations to be carried out.



### 2.2 Recording Complaints and use of Personal Data

Following resolution of a complaint, the School will keep a written record of all complaints, whether they are resolved at Stage 2 or proceed to a Panel Hearing and any action taken by the School as a result of the complaint. 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)
- The Panel's written decision (if applicable)

Correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under Section 109 of the 2008 Act requests access to them. The School will keep records of formal complaints and the Complaints Panel Hearings as required by regulation. Data will be processed in accordance with the School's Data Protection Policy.

#### 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 child's Housemaster/Housemistress, Head of Department or Tutor as appropriate. In many cases, the matter will be resolved straightaway by this means to the parent's or pupil's satisfaction.
- Complaints made directly to another member of staff will usually be referred to the relevant Housemaster/Housemistress, Head of Department or Tutor unless the member of staff deems it appropriate for him/her to deal with the matter personally.
- Housemaster/Housemistress, Head of Department or Tutor will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved to the satisfaction of the parent within 5 working days then they will be advised to proceed with their complaint in accordance with Stage 2 of this procedure.
- A complaint made directly to the Headmaster may still be resolved at an informal stage.
- If, however, the complaint is against the Headmaster, parents should make their complaint directly to the Chair of Trustees. Please refer to Stage 2 for the relevant contact details.



## 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 Headmaster. The Headmaster will decide, after considering the complaint, the appropriate course of action to take.
- In most cases the Headmaster will acknowledge the complaint, in writing, within 5 working days of receiving the complaint. He may wish to speak to or meet with the parents 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. This investigation might be delegated to a member of the Senior Leadership Team.
- 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 parents will be informed of this decision in writing. The Headmaster will also give reasons for his decision.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

## Complaint against the Headmaster

- If the complaint is against the Headmaster, the parents should refer it to the Chair of Trustees, Professor Neil Gorman, by emailing [ng@oakham.rutland.sch.uk](mailto:ng@oakham.rutland.sch.uk).
- The Chair of Trustees will call for a full report from the Headmaster and for all the relevant documents. The Chair 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 Chair 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 Chair or their nominee will give reasons for his/her decision.

## Stage 3 - Panel Hearing

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they should do so in writing to the Clerk to the Trustees within 5 days of receiving the decision at Stage 2, setting out their grounds of appeal.
- 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, one of whom shall be independent of the management and running of the School. The Clerk, in consultation with the Chair of Trustees, will appoint one Panel member to act as Chair of the Panel. The Chair, on behalf of the Panel will then acknowledge the complaint within 5 working days and schedule a hearing to take place within 15 working 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 normally not later than 5 working 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. The Headmaster shall also be entitled to be



accompanied to the hearing by one other person if he wishes. The Panel will decide whether it would be helpful for witnesses to attend.

- Unless the parents indicate that they are now satisfied with the Stage 2 resolution, the Panel Hearing will go ahead notwithstanding that the parents may decide not to attend.
- The manner in which the hearing is conducted shall be at the discretion of the Panel. 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 the merits of the complaint and all facts they consider relevant, the Panel will make findings as to whether or not the Stage 2 decision was a reasonable one and decide whether to:
  - dismiss the complaint(s) in whole or in part;
  - uphold the complaint(s) in whole or in part; and
  - make recommendations.
- The Panel will write to the parents informing them of its decision and the reasons for it, normally within 5 working days of 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 Chair of Trustees and the Headmaster. A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the School premises by the Chair of Trustees and the Headmaster.

*During the 2023-24 academic year (1 September 2023 - 31 August 2024) the number of Stage 3 complaints at Oakham School requiring a Panel Hearing = 1*

*During the 2023-24 academic year (1 September 2023-31 August 2024) the number of Stage 2 complaints at Oakham School = 3.*

### **3 Procedure for Pupils**

#### **3.1 Informal complaints**

The guiding principle for pupils is for them to feel comfortable in raising an issue about which they are uncomfortable or upset.

Pupils are therefore encouraged to raise concerns; this would normally be through their Tutor or Housemaster/mistress but may be through another pupil, prefect, or another member of staff. Concerns and complaints will always be treated seriously and no pupil will be in any way penalised for raising a complaint in good faith.



### 3.2 Formal complaints

Where discussion with friends, staff or others, has proved ineffective, or where the severity of the episode merits it, pupils may wish to make a formal complaint. A formal complaint should be clearly labelled as such as should follow this procedure:

- Write to the Senior Deputy Head making it clear that you are making a formal complaint. Your complaint will then be registered.
- The Senior Deputy Head will make the Headmaster aware that there is a formal complaint and will reply within two working days of receiving the complaint.
- A meeting will then be arranged to discuss the matter. The pupil raising the complaint will normally be accompanied by their Housemaster or Housemistress, but may also request for another member of staff or pupil to be present.
- After the meeting the pupil will be kept informed of any decisions or developments.

Pupils who are dissatisfied with the outcome may of course take their complaint to the Headmaster or to their parents to resolve the matter.

### 3.3 Procedure for Boarders

The School recognises that boarders should have a clear and accessible process to raise their own complaint about boarding provision.

Boarders will follow the process outlined above (Procedure for Pupils). Any complaint from a boarder may also be shared with the Deputy Head (Pastoral) and/ or the Senior HM.

The School's written record of complaints will identify those complaints relating to boarding provision, and any action taken by the School as a result of those complaints.

## 4 Procedures for External Parties

Complaints from external parties, such as visiting schools and members of the public, will be directed to the Senior Deputy Head. The Senior Deputy Head will aim to resolve these complaints through dialogue, over the phone or in person. Where an issue cannot be resolved informally, the Senior Deputy Head will refer the matter to the Headmaster who may decide to address the complaint as per Stage 2 and 3 of the Parental Complaints policy.





### 5 Anonymous Complaints

The School will try to trace anonymous complaints, and record them in the Complaints Log.

The only exception to this is when the complaint raises concerns about serious breaches of school policies or about potential risks to pupils and staff, in which case a general investigation will be undertaken. In this case all appropriate steps will be taken to investigate the complaint thoroughly and remedial action will be taken where this is considered necessary. However, it may not be possible to follow fully the procedures set out below.

Where an anonymous complaint is considered by the Headmaster to be frivolous, vexatious or presents no grounds for an investigation, then the decision to take no further action will be recorded in the Complaints Log.

### 6 External Authorities and Organisations

In the event of dissatisfaction with the above actions, the complainant may refer the matter to the Office for Standards in Education (Ofsted) or to the Independent Schools Inspectorate (ISI). The contact details for these organisations are as follows:

Ofsted  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

[www.ofsted.gov.uk](http://www.ofsted.gov.uk)  
[enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

0300 1231231

Independent Schools Inspectorate  
CAP House  
9-12 Long Lane  
London  
EC1A 9HA

[www.isi.net](http://www.isi.net)  
[concerns@isi.net](mailto:concerns@isi.net)

0207 600 100

### 7 Monitoring and Review of Complaints Policy and Procedures

The Board of Trustees will monitor the number and type of complaints received and the operation of the procedures set out in this policy. Complaints at Stage 2 and Stage 3 are reported to the Full Trustee body by the Headmaster each term. They will also review the policy at least annually to ensure it meets statutory requirements and continues to reflect best practice.