

Michael Hall

a Steiner Waldorf School

Concerns & Complaints Procedure

Policy Owner	Director of Operations
Formally endorsed by	Council of Trustees
Endorsement Date	Oct 2019
Next Review Date	Jan 2020

General Principles

The Waldorf movement was inspired by the ideals expressed by Rudolf Steiner and others in the early part of the 20th century. These ideals were based on recognising freedom and the intrinsic value of each human being.

Our respect for the spiritual uniqueness of each human being means that we endeavour to respect the dignity of all those in our communities.

Steiner Waldorf schools have many legal duties and responsibilities alongside upholding our founding ideals. We wish to encourage all members of a school community to strive to fulfil their role and responsibilities diligently and capably while upholding the dignity of the human being in all their encounters.

Our Concerns and Complaints Procedure is intended to support our core ideals and to contribute to the continual improvement of the education we provide.

Accordingly, this procedure seeks to embody the five fundamental attitudes set out as follows in the Steiner Waldorf School Fellowship:-

Code of Practice:

Respect for the integrity (spiritual essence) of each individual and of the world in general. **Interest in and positive approach** towards the potential for development in young people in particular and humanity in general. **Recognition of the central importance of lifelong learning.** **Commitment** to the core task of educating children in the light of the above and to encourage, enable and value the **contribution** of individuals, groups and communities to the improvement of our common heritage.

This document is written in the light of these principles.

We also take note of the of the principles contained in the Universal Declaration of Human Rights 1948, in particular, Article 1 of the Universal Declaration:-

‘All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.’

Michael Hall aims to provide quality teaching and pastoral care to its pupils and to work with co-operation and respect with our parents/carers. In the event of a complaint from a parent we aim to do all we can to resolve any problems in a fair and open manner and to respond to the complaint in a timely manner. Within term time, timescales referred to will be adhered to so far as possible given the nature of the complaint. Outside of term time we will use our best endeavours to deal with the timescales set out but will keep parents informed of any unavoidable delay in dealing with the matter.

This procedure may be supplemented where the issue involves allegations of professional misconduct, criminal offences, safeguarding/child protection issues or other matters that might result in a member of staff facing disciplinary action. In cases of that sort, an urgent investigation will take place but in those situations we are obliged to maintain confidentiality, without which due process, legal procedure &/or natural justice would be compromised.

We endeavour to take all reasonable steps to resolve complaints via the procedure set out in this document. There may be circumstances where resolution proves to be impossible. On those rare occasions, once all stages of our procedure have been exhausted, Council reserve the right to treat the matter as closed subject only to further steps that may be open to the complainants indicated at the end of this document.

In rare circumstances where the behaviour of the complainant gives reason for it, the school reserve the right to handle a complaint according to its habitual or vexatious complaints procedure.

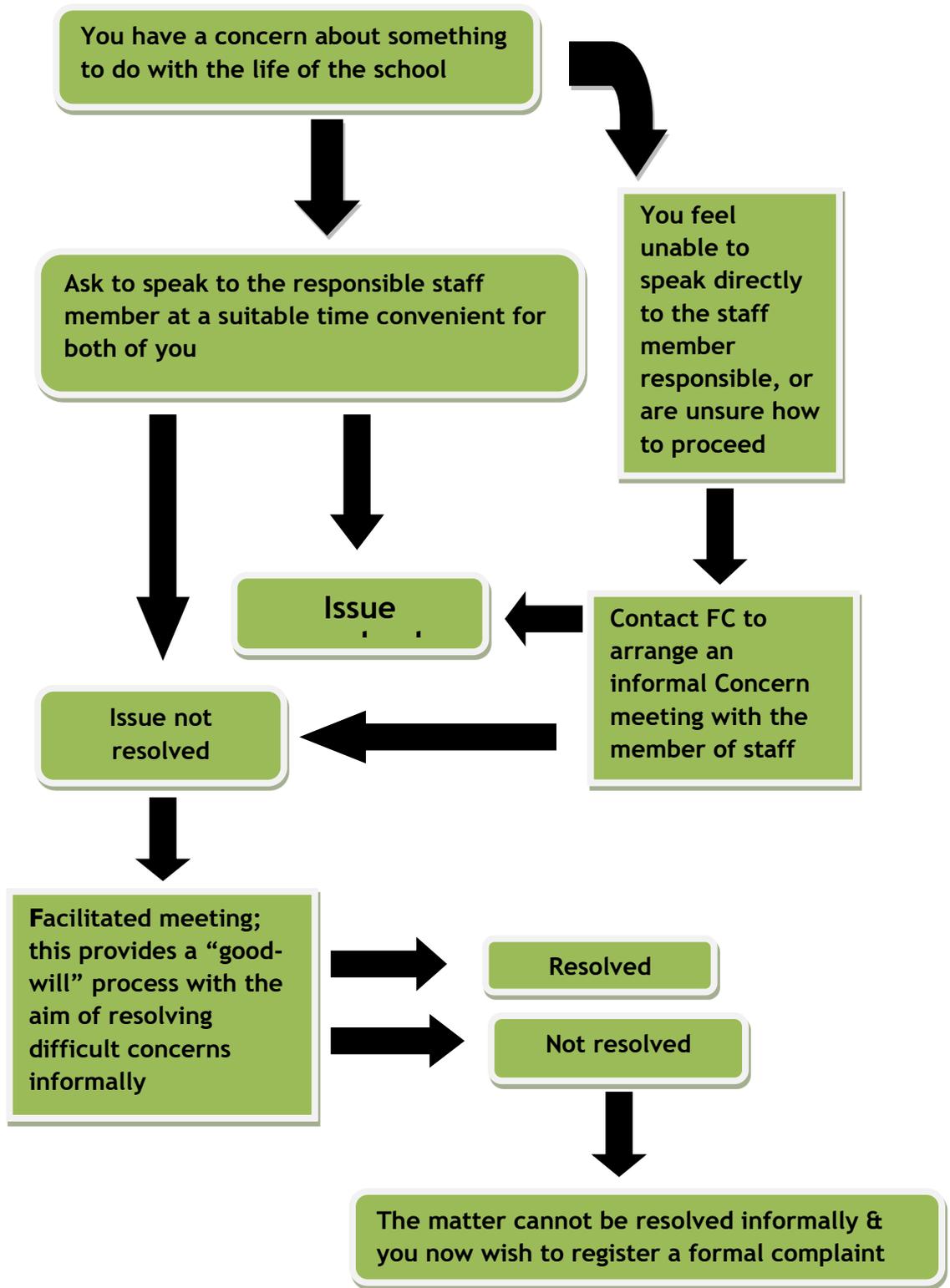
In line with the Department for Education publication *Best Practice Advice for School Complaints procedures 2016* it is expected that complaints be made as soon as possible after an incident arises. Three months is considered to be an acceptable time frame in which to lodge a complaint. If there are extenuating circumstances that fall outside of that timeframe and a clear explanation consideration will be given to consider the complaint and endeavours made to find resolution.

This policy broadly follows a three-step process:

- Informal Complaint (concern)
- Formal Complaint
- Panel Hearing

1. **Informal Complaint (concern)**
2. We have set out overleaf a flow chart providing an overview of our informal complaints procedure.
3. This part of the procedure is available to parents, prospective parents and pupils aged 16+.
4. If you have a concern about any aspect of the school, please speak to the person directly responsible for the subject of your concern. Normally this would be:
 - Concerns about teaching or aspects of the education - your child's kindergarten or class teacher or upper school guardian
 - If for any reason you feel unable to speak directly to the person concerned, please contact the Faculty Chair (FC) who will facilitate a meeting with the member of staff involved
5. If concerns remain, the Faculty Chair (FC) at your request, will arrange a further facilitated meeting &/or meeting with a neutral note-taker to help explore your concerns informally.
6. We expect to deal with all informal complaints in a timely fashion but will keep parties informed of the reason for any delays and seek to resolve the informal complaint in the shortest time possible. We aim to respond within 24-48 working hours upon receipt of a concern.

Flowchart - Informal Concerns:



2. Formal Complaints

It is our aim to deal with any issues that may arise through our informal procedure. However, if the matter cannot be resolved informally you should raise it as a formal complaint by putting it in writing and marking clearly that you wish to lodge it as a formal complaint. You should also use this procedure immediately if the issue is one of grave seriousness (e.g. a question of serious abuse of any sort).

We will do everything reasonable to manage your complaint within the timescales set out here. In the interests of accuracy and natural justice, however, the procedure may sometimes take longer. If this happens the complaint handler will contact you in order to discuss an extended timescale.

Complaints at this stage will be registered for the purposes of inspection. The Chair of Trustees will be informed that a complaint has been received. General information will be provided to school inspectors when they visit. We are required by regulations to do this. Your details however will be kept confidentially.

2.1 You should put your complaint into writing addressed to the Director of Operations who will register that a formal complaint has been received. The Director of Operations will allocate a Complaint Handler to manage your complaint process and to keep you informed. Please use the Formal Complaint form (see Appendix 1), where possible.

2.2 You should normally receive acknowledgement of a formal complaint within 24-48 working hours and we aim to offer an investigative meeting within 5 working days. There may be circumstances, such as school holidays for example when these time frames may need to be extended. You will be kept informed about the need and extent for amended timelines.

2.3 The Complaint Handler will ensure that a full investigation is carried out into the circumstances of the complaint and once satisfied that all the relevant facts have been established, you will be informed in writing of their judgement. All parties will receive copies of the relevant documents that can be reasonably shared.

2.4 This process will normally take no more than 10 working days during term times but may need to be extended dependent on circumstances and school holidays for example.

Flowchart - Overview for Formal Complaint:

The matter cannot be resolved informally & you now wish to register a formal complaint

Write to the Director of Operations. Please use the *Formal Complaint Notification Form* whenever possible. The Chair of Trustees will be informed on receipt. Your form should be acknowledged within 24-48 working hours of receipt and a Complaint Handler will be allocated to manage the process.

Complaint Handler ensures fact finding exercise is carried out and meeting is arranged with you
Fact finding completed & report completed, normally within 10 working days

The report & recommendations are satisfactory

The report & recommendations are not satisfactory

You write to the Director of Operations to call for a Review Hearing Panel to adjudicate on your appeal, on behalf of the Council of Trustees
Panel formed & Director of Operations contacts you to inform you of process. Panel takes place (see outline procedure)
Final adjudication issued.

3. Panel Hearing

3.1 If you do not agree with the report or recommendations therein, you can call for a Review Panel Hearing by writing directly to the Director of Operations.

3.2 The Director of Operations will then appoint the panel. Members of the panel will include the Director of Operations and another individual who has not been involved in handling the complaint. The third member of the panel will be a suitably qualified person independent of the schools' management or governance. The appointment of the panel is the responsibility of the Director of Operations.

3.3 Once appointed, the Director of Operations will contact you within 48 working hours to inform you of the procedure & composition of the Panel, this will include -

- the date & time of the hearing - normally within 14 working days
- the process & aim

3.4 Members of the panel will review the complaint confidentially, with objectivity and without fear or favour.

3.5 The panel will hear your concerns and may call for the staff members against whom the complaint has been made.

3.6 The role of the panel is to verify whether the school has acted appropriately and to judge whether there is a need to change any of its procedures in the light of this complaint.

3.7 You have the right to be accompanied to a panel hearing by one other person, who may be a relative, friend or supportive acquaintance (legal representation will not be accepted).

3.8 If you want to supply any further information you should do so within one week of the date of the panel hearing. All further information will be made available to all those involved. Any new information supplied at the time of a Panel Hearing may result in a delay of a final decision or the need to reconvene the meeting at a later date.

3.9 The decision of the panel will be final and binding. The school offers no further appeal to the decision of a Review Panel.

3.10 Following the hearing, the Director of Operations will inform you and the subject of the complaint of their decision in writing, normally within 10 working days. Extensions to the timeline may be necessary in certain circumstances or during school holidays for example.

Complaints Records:

1.1 We keep the following records of complaint:-

- The complaint will be listed with the date it was first raised
- The nature of the complaint
- The name of the parent and pupil (if relevant)
- Records of the fact finding (including dates and attendees)
- Statements from witnesses (if relevant)
- Name of person handling the issue at each stage
- Whether the matter was resolved
- Copies of all documentation (including emails and records of phone conversations).

1.2 Complaint records will be kept confidential & secure in line with our data retention schedule (except where the Secretary of State or a body conducting an inspection under S109 of the Education and Skills Act 2008 requires access to them).

1.3 The School will publish the number of formal complaints dealt with each year, as required by legislation. This record will be made available to school inspectors when they conduct inspections in accordance with the law.

2. Non-Parental complaints:

At the discretion of the School, this procedure will also be used in an adapted form, as appropriate, for concerns or complaints from neighbours or members of the general public affected by some aspect of the operation of the schools.

3. Other agencies:

Parents may complain directly to Ofsted or ISI. Ofsted publishes a booklet, available online at <https://www.gov.uk/government/publications/complaints-to-ofsted-about-schools-guidance-for-parents> which explains the process if you decide to take your complaint to the regulator

- If your complaint is about an independent school, you can send your complaint in writing to:

Independent & Boarding Team

Department for Education
Bishopsgate House
Feethams
Darlington
DL1 5QE

Ofsted may also be contacted on 0300 123 1231 or by email: enquiries@ofsted.gov.uk

As an EYFS provider we will provide SIS/Ofsted, on request, with a written record of all complaints made during a specified period, and the action that was taken as a result of each complaint. The record of any such complaints will be kept for at least three years. This specifically relates to parents of children aged between 3 & 6 years old. Ofsted should be contacted quoting the EY Reference Number & contact number DFE number: 845/6037.

APPENDIX 1

Name:

Name (member of staff):

Date:

**Formal Complaint Notification
(Formal stage of Complaint Procedure)**

Your contact details:

Please set out the issues of your complaint. Please be as specific as possible, giving dates, sequence of events:

Are you attaching any paperwork? If so, please list it here.

What do you feel needs to be done to resolve this matter?

Signed:

Date:

Please return this form to the Director of Operations.

We recommend that you keep a copy of this form for your own records.

Review Hearing - Guidelines for Conduct

The Panel Chair is responsible for the conduct of the hearing. The following notes provide a general overview of the way a hearing will normally be conducted:

The role of the Panel Hearing to verify whether the school has acted appropriately & to judge whether there is a need to change any of its procedures in the light of this complaint.

The Panel Chair will ensure that the proceedings are accurately recorded.

Normally, no new information, witnesses or other evidence can be allowed at the time of the Panel Hearing. New information should be made available 7 days prior to the hearing so that everyone has time to consider & respond to it. New evidence supplied later than this may lead to an adjournment of the hearing.

1. Prior to the hearing, the parties should wait in separate rooms. The Review Panel will hear evidence from the parties separately
2. The Panel Chair welcomes the complainant & companion, introduces the Review Panel & outlines the process that will be followed
3. The complainant is asked to explain their objections to the conclusions of the fact finding
4. Agreed witnesses may be called (normally witness evidence will be provided in written form)
5. The Panel may ask questions for clarification
6. The complainant & companion leave the meeting room
7. The Panel Chair welcomes the member of staff representing the recommendations of the investigation, introduces the Review Panel & outlines the process that will be followed
8. The staff member explains the original response to the panel: steps 4, 5, 6 follow as above
9. The panel considers what it has heard & the evidence & may recall either party to answer further questions
10. The panel considers its decision - either to
 - give a verbal summary of its unanimous decision
 - reserve its decision for up to 36 hours , at the end of which a final judgement will be issued in writing
 - state that it is unable to arrive at a decision, in which case the procedure should be restarted with a different panel¹
11. The deliberations of the panel are confidential. If there is a split decision, the Panel Chair has the casting vote.
12. The panel decision will -
 - uphold or deny the complaint according to the evidence available. In addition -
 - it may recommend changes to school procedure or other measures to help ensure similar complaints do not reoccur
 - it may require the school to take action to redress the complaint, e.g. to issue an apology, or statement of correction

13. The parties will be recalled to the meeting room for either to -
 - hear a brief summing up from the panel, or
 - to be told of the decision to reserve judgement
 - to be told that the panel, having been unable make a decision, will dissolve with a new panel to be convened at the earliest possible opportunity
14. If there is to be a summing up, the Panel Chair should explain that he will give its view of what they have heard, that this is not an opportunity for either party to 'argue the matter further, however, after the verbal summary has been made the parties may put a limited number of questions to the panel to assist their understanding of the adjudication.
15. The outcome of the panel will normally be confirmed in writing within 10 working days. Timelines may need to be extended due to circumstances or during school holidays.
16. The school's internal procedure is complete

¹ While the final option should be available, in reality, a non-decision of this type ought to be rare. To record a non-decision is, in effect, a panel is passing a vote of no-confidence in itself...

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