

Concerns & Complaints Procedure

Policy Owner	Senior Leadership Team
Formally endorsed by	Council of Trustees
Endorsement Date	December 2020
Next Review Date	December 2021

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, The Board of Trustees 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 2020* 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.

Parental Complaints Procedure

The School aims to deal with complaints sympathetically and expeditiously as possible and to resolve them, either to the complainant's satisfaction, or with an otherwise appropriate outcome which balances the rights and duties of students. The three stages of resolution are explained in this policy.

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

Pupils whose parents make complaints in good faith will not be penalised in any way.

The law requires the School to follow a clear procedure when a complaint is made. Because the investigation and response to complaint can be so time-consuming, we ask parents who make a complaint to be clear, at the start of any letter or conversation, that they are making a Formal Complaint rather than an observation about some aspect of administration or welfare.

The procedure only applies in relation to complaints from parents/guardians of pupils, ie persons for whom education is being provided at the School. Therefore, the process does not need to cover complaints from parents of pupils who have left voluntarily or as a result of being excluded (except in cases where complaints process was started when the pupil was still being educated at the School).

Complaints with a safeguarding nature

If a concern or complaint includes some elements of a safeguarding nature, of any kind, please ensure the Deputy Designated Safeguarding Lead (DDSL) or Designated Safeguarding Lead (DSL) are informed immediately. This is to ensure that information is adequately and appropriately shared and DSL recommendations for resolution can be swiftly incorporated.

If Social Services need to be contacted their telephone number is: 01243 771000.

How to complain

Education Matters

If the complaint relates to the classroom, the curriculum or special educational needs, please discuss it with your son's or daughter's teacher or guardian. They will then help you to put your concerns to the appropriate department or the Principal.

Pastoral Care

If the concern relates to matter outside the classroom, please speak or write to the Principal in the first instance.

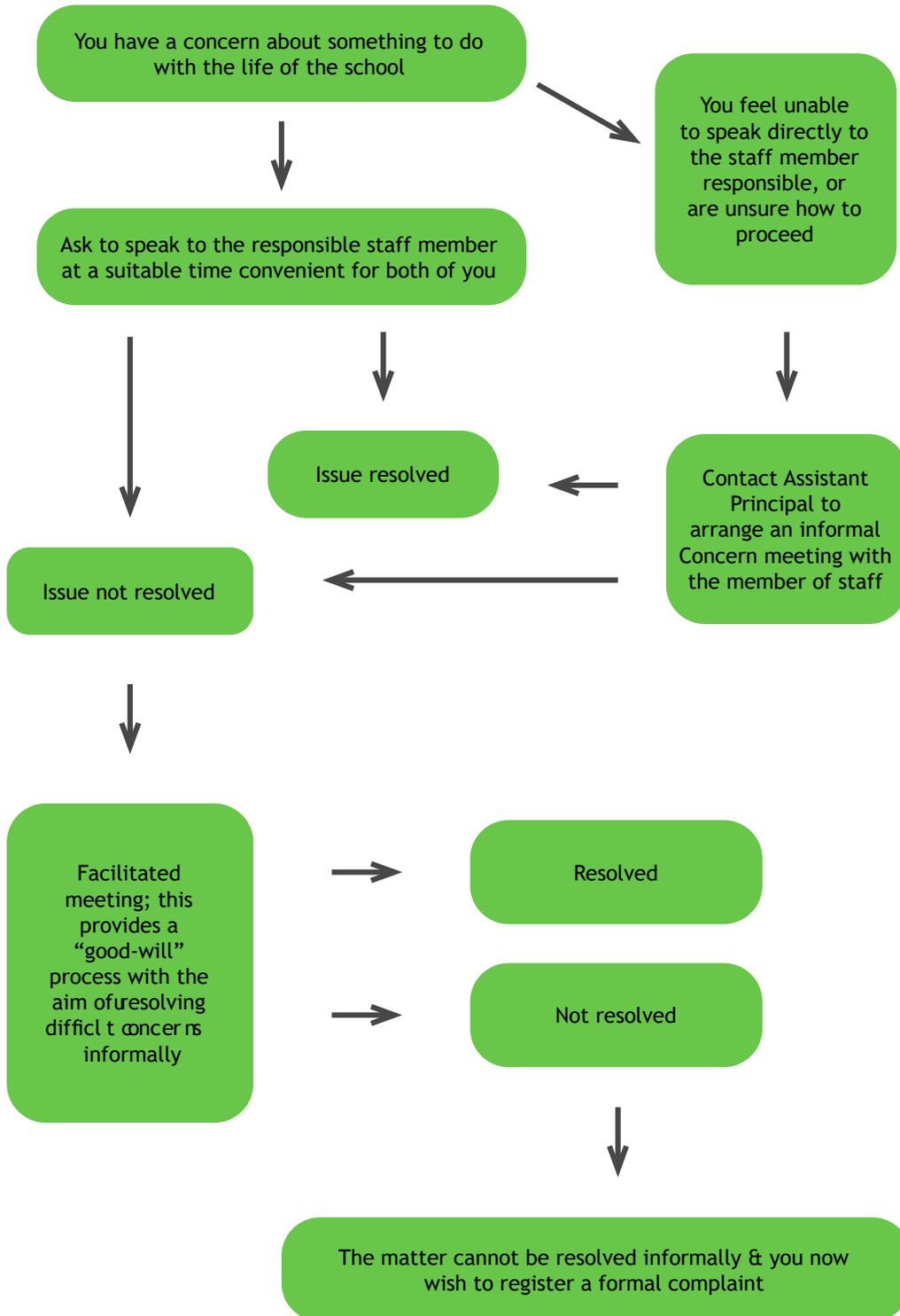
Financial Matters

A concern or complaint about the matter relating to fees or extras should be stated in writing to the Finance Manager, or Business Manager. If not resolved promptly, please send a copy of the letter of complaint to the Principal.

1. **Informal Complaint (concern)**
2. Allows for a complaint to be made and considered initially on an informal basis
3. We have set out overleaf a flow chart providing an overview of our informal complaints procedure.
4. This part of the procedure is available to parents, prospective parents and pupils aged 16+.
5. 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 Assistant Principal who will facilitate a meeting with the member of staff involved
6. If concerns remain, the Assistant Principal, at your request, will arrange a further facilitated meeting &/or meeting with a neutral note-taker to help explore your concerns informally.
 7. 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 - Overview for Informal Concern:



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 Formal 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 Formal Complaint Handler will contact you in order to discuss an extended timescale.

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

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

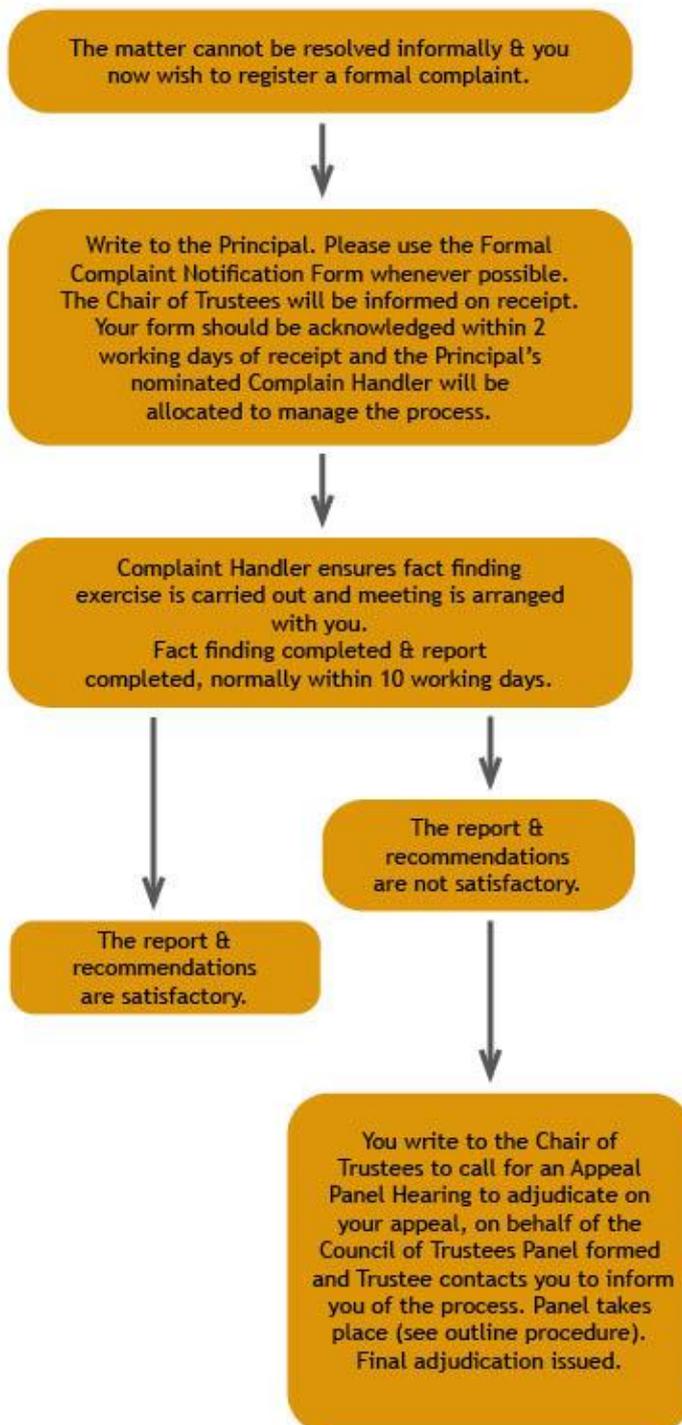
2.2 You should normally receive acknowledgement of a Formal Complaint within 2 working days and we aim to offer an investigative meeting within 5 working days. There may be circumstances, such as school holidays for example when these time frames may need to be extended. You will be kept informed about the need and extent for amended timelines.

2.3 The Formal 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.

2.5 The Principal (or his nominee) will keep written records of all meetings and interviews held in the relation to the Formal Complaint. Once the Principal (or his nominee) is satisfied that, so far as practicable, all the relevant facts have been established, a decision will be made, and the parents will be informed of the decision in writing. The Principal (or his nominee) will also give reasons for their decision and the Chair of the Trustees may be called to mediate if necessary.

Flowchart - Overview for Formal Complaint:



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 Principal.

3.2 The Chair of Trustees will then appoint the Appeal Panel. The Appeal Panel will be formed and consist of at least three persons not directly involved in the matters detailed in the Formal Complaint. Members of the Appeal Panel will likely consist of a member of the Board of Trustees, a member of the School Leadership Team and a person who is independent of the School's management or governance.

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

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

3.4 Members of the Appeal Panel will review the Formal Complaint confidentially, with objectivity and without fear or favour.

3.5 The Appeal Panel will review all evidence gathered by the Complaint Handler/investigator. If deemed necessary, the Appeal Panel may re-interview.

3.6 The Appeal Panel will hear your concerns and reasons for appeal and may call for the staff members against whom the Formal Complaint was made.

3.7 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 Formal Complaint.

3.8 You have the right to be accompanied to an Appeal Panel hearing by one other person, who may be a relative, friend or supportive acquaintance (legal representation will not be accepted). If a parent does not exercise the right to attend a Panel Hearing, this does not remove the School's obligation to hold the hearing in conformity with its Complaint Policy. The School's arrangements for the Appeal Panel hearing should be reasonable in order to facilitate the parent(s) exercising the right of attendance.

3.10 The Appeal Panel will make a decision within 14 days of receiving the appeal or if this is not possible without undue delay. The Chair of Trustees will inform you and the subject of the complaint of their decision in writing. Extensions to the timeline may be necessary in certain circumstances or during school holidays for example.

3.11 The Appeal Panel's findings and, if any, recommendations will be sent in writing to you the parent or guardian, the Principal and the Chair of the Board of Trustees. It may be relevant to send the recommendations to the person at whom the Formal Complaint was

directed. When necessary the Appeal Panel will refer to the School' Disciplinary Policy Procedure.

3.12 Action may need to be taken by the School as a result of those Formal Complaints (regardless of whether they are upheld).

3.13 The decision of the Appeal Panel will be final and binding. The School offers no further appeal to the decision of an Appeal Panel.

Complaints Records:

1.1 We keep the following records of Formal Complaint:-

- The Formal Complaint will be listed with the date it was first raised
- The nature of the Formal 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 Formal 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) or where other legal obligation prevails.

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:

2.1 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 School.

2.2 There is no provision in the standard for complaints by pupils, even those who are adults.

Complaints in the Early Years

Parents of pupils in the Early Years may use the procedure identified above but they may also complain directly to Ofsted.

Formal Complaints or concerns can be raised with the Assistant Principal for Early Years by contacting Reception. (01342 822275

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 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 Formal Complaints made during a specified period, and the action that was taken as a result of each Formal Complaint. The record of any such Formal 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.

Formal Complaints can be directed to the Chair of Trustees, Jonathan Sharpe, c/o Michael Hall Waldorf School, Kidbrooke Park, Priory Road, Forest Row, East Sussex, RH18 5JA.

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 Formal 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 Principal.

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 Review Hearing. The following notes provide a general overview of the way a Review Hearing will normally be conducted:

The role of the Review Panel Hearing is 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 Hearing 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 Review 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 Review Panel Hearing.

1. Prior to the Review Panel Hearing, the parties should wait in separate rooms. The Review Panel will hear evidence from the parties separately
2. The Review 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 Review Panel may ask questions for clarification
6. The complainant & companion leave the meeting room
7. The Review 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 Review Panel considers what it has heard & the evidence & may recall either party to answer further questions
10. The Review 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 Review Panel Chair has the casting vote.
12. The Review 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 Formal Complaints do not reoccur
 - it may require the School to take action to redress the Formal 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 Review Panel, or
 - to be told of the decision to reserve judgement
 - to be told that the Review Panel, having been unable make a decision, will dissolve with a new Review Panel to be convened at the earliest possible opportunity
14. If there is to be a summing up, the Review 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 Review Panel to assist their understanding of the adjudication.
15. The outcome of the Review 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...

POLICY ISSUE DATE: 3/12/2020