



## Complaints Policy

SMT owner	Bursar
Reviewed by SMT	June 2024
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Next review	2029
Governor approval (Y/N)? Approved by Board of Governors (if Y)	Y

### References

- Independent School Regulations (Wales) 2024

### Introduction

*Christ College 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. Christ College 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 Christ College 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.*

In accordance with Section 6 (j) the Independent School Regulations (Wales) 2024, Christ College will make available to parents of pupils and prospective pupils on request to the Chief Inspector, the National Assembly, or a body approved under section 163(1)(b) of the 2002 Act details of the complaints procedure set out in accordance with paragraph 7 of the Schedule, we will also make available the number of complaints registered under the formal procedure during the preceding school year.

With this policy the term 'parent(s)' refers to any person with parental responsibility as defined in law.

### 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 Head of Faculty (HOF) in the case of academic issues or Houseparent (HOM) for pastoral issues.
- In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the HOF/HOM cannot resolve the matter alone it may be necessary for him/her to consult the Deputy Head (Academic)/Deputy Head (Pastoral) respectively.
- Complaints made directly to a Deputy Head will usually be referred to the relevant HOF/HOM in the first instance unless the Deputy Head deems it appropriate for him/her to deal with the matter personally.
- The Deputy Head will make a written record of all concerns and complaints and the date on which they were received. Acknowledgement of the complaint should be made within 48 hours of it being referred to him/her. Should the matter not be resolved within 10 working days or in the event that the HOF/HOM 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 a Deputy Head, parents should make their complaint directly to the Head.
- If the complaint is against the Head, parents should make their complaint directly to the Chair of Governors through the Clerk to the 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 or speak to the parents concerned, within 5 working days of receiving the complaint, to discuss the matter. The Head should acknowledge receipt of the complaint within 48 hours. 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 Chair of Governors will call for a full report from the Head 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 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 Chair of Governors who has been appointed by the Governors to call hearings of the Complaints Panel.
- The Complaints 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 Chair, on behalf of the Panel, will then acknowledge the complaint 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 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.
- 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, usually within 5 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 Chair 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 Chair of Governors and the Head.
- The decision will be communicated to the complainant in the form of an adjudication which will cover the facts of the case, the decision and the reason for the decision. Transcripts of interviews with witnesses will be retained by the College but not included with the adjudication report.

### 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 working days. Stage 3, the Appeal Panel Hearing, will be completed within a further 20 working days.

Please note that, for the purposes of this procedure, 'working days' refers to weekdays (Monday to Friday) during term time.

### Recording Complaints

Following resolution of a complaint, the school will keep a written record of all complaints, whether they are resolved at the informal stage, the formal stage or proceed to a panel hearing and any action taken by the school as a result of the complaint (regardless of whether the complaint is upheld). 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 or guardian
- 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 where the Welsh Assembly or a body conducting an inspection under section 7(k) of the Independent Schools (Wales) Regulations 2003

### **Vexatious, Frivolous, or Malicious complaints**

Whilst it is hoped that this policy will reduce any dissatisfaction with the school, it is acknowledged that there may be rare occasions where a complainant continues to be dissatisfied with the school and the outcomes achieved under the complaints policy. Where a complainant attempts to re-open an issue which has already been dealt with under the complaints policy, the Chair of Governors will contact them to inform them that the matter has already been dealt with and that either that stage of the policy has been exhausted or that the complaints policy has been exhausted and the matter is considered closed. Where further correspondence is received on the same matter, this may be considered vexatious, frivolous or malicious and the school will be under no obligation to respond to that correspondence and may refer the issues to other agencies.

Where a complaint is raised which is considered to be frivolous or malicious the Head or in the case of a complaint against the Head, the Chair of Governors, may refuse to progress the complaint to the formal/appeal stage. In such circumstance the Head or Chair of Governors will write to the complainant informing them of the reason for the decision not to progress the complaint.

#### **Definitions:**

##### **Vexatious Complaints**

A complaint may be considered to be vexatious when it may or may not be the latest in a series of requests and it:

- clearly does not have any serious purpose or value;
- is designed to cause disruption or annoyance, or gives rise to disproportionate inconvenience or expense;
- has the effect of harassing the school and/or its staff;
- can otherwise fairly be characterised as obsessive or manifestly unreasonable.

##### **Frivolous Complaints**

A complaint may be considered to be frivolous where:

- it is clear that it is not serious or sensible in content, attitude or behaviour;
- there is an absence of clear desire for a sensible or reasonable form of redress.

##### **Malicious Complaints**

A complaint may be considered to be malicious where:

- there is evidence of intention to do harm or mischief;
- it is reasonable to assume that the complainant intended to do harm or mischief;
- malice may be implied e.g. where it is clear that no redress is sought.

##### **Efficacy, suitability and good faith**

The Chair of Governors at their sole discretion may decline to treat a matter raised as a complaint (even if the correspondence asks for the matter to be treated as a complaint on the following grounds:

###### **i) Efficacy and suitability:**

There will be cases where the complaints system will not be appropriate or an effective means of dispute resolution. These instances would include but not be restricted to:

- Policies and policy made by the board of governors;
- 'points of principle'
- Decisions made by the board of governors

###### **ii) Good faith**

Where a complainant is seeking to gain an unfair advantage through the action they are asking the school to take to remedy their complaint then the Chair of Governors may reject the complaint on the grounds of lacking good faith. Examples of this would be:

- Complaints about the wording of the parents' contract
- Seeking a discount from the school fees or some other commercial advantage
- Reassessment or overruling of a marking/assessment decision made by a teacher.
- Complaint about the credit control process to avoid payment of a legitimate debt

The above do not preclude complaints about the application of the school's policies (rather than the policies themselves) nor complaints about unfair treatment specifically.

Where the Chair of Governors decides that the complaints process is not suitable nor effective then they should look for alternative means of resolving the dispute which can include (amongst other things)

- Referring the complaint about the governors' decision to the board for a policy decision or internal or independent review;
- Referring the complainant to the Charities Commission

The Chair, at their discretion, may reject the complaint with no suggested resolution mechanism where they feel that the complaint is not made in good faith.

## Appendix 1: Independent Schools Standards (Wales) Regulations 2024

### PART 7 The manner in which complaints are to be handled

29. The manner in which complaints are handled meets the standard if the proprietor ensures that the independent school draws up and effectively implements a complaints procedure which—

- (a) is in writing,
- (b) is made available on the independent school's website, or where the independent school does not have a website, it is provided to pupils or boarders, the parents of pupils or boarders and of prospective pupils or boarders at the independent school,
- (c) sets out clear time scales for the management of a complaint,
- (d) provides an opportunity for a complaint to be made and considered initially on an informal basis,
- (e) where the parents, pupils or boarders are not satisfied with the response made in accordance with sub-paragraph (d), or wish to pursue a formal complaint, establishes a procedure for the complaint to be made in writing,
- (f) where the parents, pupils or boarders are not satisfied with the response to the complaint made in accordance with sub-paragraph (e), makes provision for a hearing before a panel appointed by or on behalf of the proprietor and consisting of at least three people who were not directly involved in the matters detailed in the complaint,
- (g) stipulates that, where there is a panel hearing of a complaint, one person will be independent of the management and running of the independent school,
- (h) allows for the parents, pupils, or boarders to attend and to be accompanied at a panel hearing if they wish,
- (i) provides for the panel to make findings and recommendations and stipulates that the complainant, proprietor and head teacher, and where relevant the person complained about, are each provided a copy of any findings and recommendations,
- (j) provides for written records to be kept, in accordance with the independent school's policy on data retention, of all complaints, including whether they are resolved at the preliminary stage or proceed to a panel hearing and any action taken by the independent school as a result of those complaints and whether they were upheld,
- (k) provides that, subject to paragraph 28(3)(d) of this Schedule, correspondence, statements and records of complaints are to be kept confidential except where the Welsh Ministers or a body conducting an inspection under section 163 of the 2002 Act requests access to any documents relating to the complaint, and

(l)where the independent school provides boarding accommodation, complies with the National Minimum Standards for Boarding Schools, or where applicable, the National Minimum Standards for Residential Special Schools.

Appendix 2: Flow chart

