COMPLAINTS PROCEDURE

YAVNEH COLLEGE
COMPLAINTS
PROCEDURE

If you are a Parent wishing to complain please follow the procedures in section A. If you are any third party other than a parent, please follow the guidance in section B.

References to 'Parent' or 'Parents' in this Complaints Policy means the natural or adoptive parents of the pupil (irrespective of whether they are or have ever been married, with whom the pupil lives, or whether they have contact with the pupil) as well as any person who is not the natural or adoptive parent of the pupil, but who has care of, or parental responsibility for, the pupil (e.g. foster carer / legal guardian).

Section A:

Scope and application for Parents

This policy applies to the whole of Yavneh College (the School).

This policy applies to any expression of dissatisfaction however made about actions taken, or a lack of action, by the School where the Parent may seek an apology, explanation and / or action by the School.

This policy does not apply to matters for which there are separate statutory procedures (e.g. admission appeals, suspension and exclusion reviews, special educational needs appeals, etc).

All Parents should be aware that, regardless of the nature of a complaint and whether or not it is upheld, Parents are not entitled to details of any related sanctions imposed on staff or pupils, or measures in respect of Parents, for data protection and confidentiality reasons.

There may be occasions when it is necessary to deviate from this complaints procedure if this is reasonable and justified, subject to the School continuing to meet the statutory requirements under Part 7 of the Education (Independent School Standards) Regulations 2014. Parents will be notified of any changes.

Timescales

Whenever possible, in the interests of a prompt resolution of issues, a complaint should be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will, however, consider complaints made outside of this time frame where exceptional circumstances apply. A complaint raised outside this time frame should therefore confirm the reasons for the delay in raising it.

Management of complaints

The School's policy allows for complaints from Parents to be considered at three stages:

- Stage 1: Informal raising of a complaint
- Stage 2: A formal complaint in writing
- Stage 3: Complaint Panel Hearing

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Stage 1: Informal stage

1. The School publishes the following guidance for Parents on how matters of concern should be raised on an informal basis:

2. **Pastoral care:** If you have a concern about your child's welfare, your first point of contact is the Head of Year responsible for your child's year group. You can contact them by emailing them via admin@yavnehcollege.org or by writing a letter.

3. **Educational issues:** If you have a concern about your child's progress in a particular subject or the curriculum your first point of contact is the subject teacher. Your complaint may be passed to a more senior member of staff if appropriate. If this does not resolve the matter, please contact the relevant Head of Department. If the Head of Department fails to resolve your concern, you should contact the member of the Senior Leadership team who Line Manages that department (see appendix 1).

4. **Disciplinary matters**: A problem over any disciplinary action taken or a sanction imposed should be raised first of all with the member of staff who imposed it / the Head of Year.

5. **Staff:** If you have a concern or complaint about the management of the school or about a member of staff, please contact the Executive Headteacher or someone they designate, such as a deputy.

6. Alternatively, Parents may choose to make their complaint about the Executive Headteacher in writing to the Trustees via the Clerk to the Trustees. In this case, the complaint will be treated as a formal complaint under Stage 2 of this procedure.

7. An informal complaint will be acknowledged within **three school days** of receipt, indicating that action is being taken and the likely timescales. Such action may include an investigation and / or a meeting with the Parent.

8. Wherever appropriate, the School will ask the Parent at the earliest stage what they think might resolve the issue.

9. The Parent will receive a response to the complaint within **15 school days** of the initial complaint.

10. If the Parent is dissatisfied with the response to the informal complaint or in the

event that the complaint cannot be resolved by informal means, the Parent may make a formal complaint under Stage 2 of this procedure as set out below.

Please note that the Chair of Trustees will not respond to Parents who attempt to contact her directly instead of following the procedures explained above.

Stage 2: Formal stage

1. Yavneh College will not consider anonymous complaints or complaints which refer to circumstances that are older than 3 months old, unless it is appropriate to do so.

2. Complaints will usually only progress to Stage 2 after first being considered at the informal stage, and where the Parent indicates that they intend to escalate a matter to the formal stage.

3. The formal complaints Procedure (Stage 2) is as follows: -

   a) The complainant must put the complaint in writing, addressed to the Executive Headteacher, setting out all the grounds of the complaint and the outcome desired. They should also include a copy of any relevant documents and the Parent's name and full contact details.

   b) The complaint will be acknowledged by telephone, email or letter within **three school days**, indicating the action that is being taken and the likely timescales.

   c) The complaint form at Appendix 2 can be used to submit a formal complaint to the Executive Headteacher who will acknowledge receipt and explain what action will be taken.

   d) The Executive Headteacher will appoint a member of the Senior Leadership Team or third party, to investigate the complaint. They will report their findings to the Executive Headteacher. The Executive Headteacher will respond to the complaint in writing, within **15 school days** from receipt of the formal written complaint.

   e) The investigation may include a request for a conversation and / or a meeting with the Parent personally and / or others with relevant knowledge of the circumstances to define the scope of the complaint and / or assist in the investigation.

   f) If the complaint is about the Executive Headteacher, it must be put in writing the first instance with the Chair of Trustees via the Clerk to the Trustees who will, designate a Trustee to investigate in the same way as outlined in steps a) – e) above.

4. If the complainant is not satisfied with the stage 2 response of the complaint, she/he may request that the complaint be considered by a Complaints Panel under Stage 3.

Stage 3: Complaints Panel hearing

1. If a Parent is dissatisfied with the Stage 2 response to the complaint, the Parent can request a Complaint Panel Hearing (**Panel Hearing**).

2. A Panel Hearing is a hearing to consider those elements of the Stage 2 response to the Parent's complaint with which the Parent remains dissatisfied. The Complaint Panel is not obliged to consider any new complaints which have not been previously raised and concluded at Stage 2.

3. The complainant's request must be made in writing to the Clerk to the Trustees, addressed to the Chair of Trustees, within **15 school days** from receipt of the Stage 2 decision and include:

   - a copy of any relevant documents and full contact details
   - details of all the grounds of the complaint about which the Parent remains dissatisfied and the outcome desired
   - a list of the documents which the Parents believe to be in the School' possession and wish the Complaint Panel to consider;
   - whether the Parent proposes to be accompanied to the Panel Hearing.

4. The Clerk to the Trustees will acknowledge the request for a Panel Hearing in writing within **three school days** of receipt.

5. Every effort will be made to enable the Panel Hearing to take place within **15 school days** of receipt of the request.

Planning the Panel Hearing:

6. The Clerk to the Trustees will endeavour to send written notification to each party of the date, time and place of the Panel Hearing at least **ten school days** before the date of the Panel Hearing.

7. Copies of any additional documents that the Parent wishes the Complaint Panel to consider should be sent to the Clerk to the Trustees to be received at least **seven school days** prior to the Panel Hearing.

8. The Clerk to the Trustees will endeavour to circulate a copy of the bundle of documents to be considered by the Complaint Panel to all parties at least **three school days** prior to the Panel Hearing. The bundle of documents will include all records held in the complaint file following Stage 1 and / or 2, together with all correspondence and documents received from the Parent following notification of the formal response at Stage 2.

9. At any meeting, the complainant will be entitled to be accompanied by a third party but legal representation will not be allowed. The Panel Hearing is an internal process, not legal proceedings, and legal representation is

unnecessary.

10. If the Parent wishes to be accompanied by a relative or friend who is legally qualified, the Parent is required to notify the Clerk to the Trustees in the initial request for a Panel Hearing. The Parent should note that the Complaint Panel will wish to speak to that person directly prior to the Panel Hearing, and they will not be permitted to act as an advocate or address the Complaint Panel at the Panel Hearing unless invited to do so by the Chair of the Complaint Panel.

11. A person will be appointed by the School to take a minute of the Panel Hearing.

The Composition of the Complaint Panel:

11. The Complaints Panel will comprise at least three people who have no detailed prior knowledge of the circumstances of the complaint, 2 Trustees and at least one person who is independent of the management and running of the School (i.e. they will not be a Trustee, at any of the Trust's academies, or an employee of the Trust at any of its academies).

12. The Complaint Panel members will appoint one of their number to be the Chair of the Complaint Panel throughout the proceedings.

Role of the Complaint Panel

13. The role of the Complaint Panel is to establish the facts surrounding the complaints that have been made by considering:

    - the documents provided by both parties; and
    - any representations made by the parties;

14. and to review the decision reached at Stage 2 and to consider, on a balance of probabilities, as to whether or not to uphold each complaint.

The Panel Hearing:

15. Unless prior to the commencement of the Panel Hearing, a Parent confirms they are satisfied with the outcome of their complaint, the Panel Hearing will proceed notwithstanding that the Parent may decide not to attend. In these circumstances, the Complaint Panel will consider the Parent's complaint in his / her absence and issue findings on the substance of the complaint.

16. The meeting will be as informal as circumstances allow. The complainant will have the opportunity to put her/his reasons for dissatisfaction and to enlarge on them but the Complaint Panel is not obliged to consider any new complaints that have not previously been raised. The Stage 2 decision maker will have the opportunity to make their representations and the parties, as well as the Panel members, will be able to ask questions and make comments in an appropriate manner. The complainant will have the opportunity to make final comments to the Panel.

17. All those present during the Panel Hearing are expected to show courtesy,

restraint and good manners or, after due warning, the Panel Hearing may be adjourned or terminated at the discretion of the Chair. Any person who is dissatisfied with any aspect of the way the Panel Hearing is conducted must say so before the proceedings go any further and his / her comment will be minuted.

18. The Chair may, at his / her discretion, adjourn the Panel Hearing if he / she considers it appropriate to do so. This may include an adjournment for welfare reasons, to enable additional information to be obtained and / or considered or for the parties to take legal advice on a specific issue arising.

19. When the Chair of the Complaint Panel is satisfied that sufficient consideration has been given to the documentation provided and any representations made by the parties, he / she will conclude the Panel Hearing.

Decision

20. The Panel will make findings about each complaint on the balance of probabilities and may make recommendations. A copy of those findings and recommendations, together with the minutes of the Panel Hearing, will be given to the complainant and, where relevant, the person complained about. A full copy of the findings and recommendations will be available on the school premises for inspection by the proprietor and the Executive Headteacher.

21. The Panel will formulate its response as quickly as reasonably possible and the Clerk to the [• Local Governors / Trustees] will notify all concerned within **five school days** of the Panel Hearing.

22. The decision of the Panel is final. There will be no further opportunity within the School for consideration of the complaint. The completion of Stage 3 represents the conclusion of the School's complaints procedure.

23. If a duplicate complaint is received by a new complainant following completion of the Stage 3 procedure, the School will inform the new complainant that the matter is closed.

Record keeping

A written record will be kept of all complaints, including whether they are resolved at the preliminary stage or proceed to a panel hearing and the action taken by the School as a result of the complaints (regardless of whether they are upheld).

Correspondence, statements and records relating to individual complaints will be kept confidential except where the law allows for disclosure.

Section B

Any third party other than Parents wishing to complain must put the complaint in writing, addressed to the Executive Headteacher, setting out their concerns in full and the action sought.

Yavneh College will not consider anonymous complaints nor complaints which refer to circumstances that are older than 3 months old unless it is appropriate to do so.

a) The Executive Headteacher will appoint a member of the Senior Leadership Team, to investigate the complaint. They will report their findings to the Executive Headteacher. The Executive Headteacher will respond to the complaint in writing, within **15 school days** of the written complaint being received.

b) If the complaint is about the Executive Headteacher, it must be raised in the first instance with the Chair of Trustees who will, if an informal resolution cannot be reached, designate a Trustee to investigate in the same way as under the formal stage (Stage 2) as outlined above.

If the Complainant is dissatisfied with the response to the complaint, the complainant can request a review of the decision by writing to the Clerk to the Trustees. The review will be carried out by a Trustee who will confirm their decision in writing.

Trustee Review

1. The written request should usually be made within **15 school days** from receipt of the Stage 2 decision and include:

   - a copy of any relevant documents and full contact;
   - details of all the grounds of the complaint about which the complainant remains dissatisfied and the outcome desired; and
   - a list of the documents which the complainant believe to be in the School's possession and wish the Trustee to consider.

2. The role of the Trustee is to

   - establish the facts surrounding the complaints that have been made by considering the documents provided by the complainant;
   - review the decision reached at Stage 2; and
   - consider, on a balance of probabilities, as to whether or not to uphold each complaint.

3. The Trustee will make findings about each complaint, on the balance of probabilities, and may make recommendations

4. Any recommendations will be provided in writing to the complainant and, where relevant, the person complained about, within **15 school days** from receipt of the written request for the review

5. The Trustee's findings and any recommendations will also be made available for

inspection on the School's premises by the Trust and the Executive Headteacher.

6. The decision of the Trustee is final. The completion of the review represents the conclusion of the School's complaints procedure for Complainants. There will be no further opportunity within the School for consideration of the complaint.

7. If, at the conclusion of the review, a duplicate complaint is made the School will inform the complainant that the matter is closed.

8. On receipt of a complaint from a complainant the School may amend this procedure and may attempt an exploration of an informal resolution if appropriate. If this is not possible, there may be an investigation and determination of the complaint with the right to request a review of the decision made at the informal stage.

Complaints to the Department for Education

Complainants who are dissatisfied with the outcome of their complaint may contact the Department for Education (DfE)), whose role in handling the complaint is to consider whether the School followed the correct process. Further information about making a complaint to the DfE, including an online enquiry form, can be accessed on the DfE's website here - How DfE handles complaints about academies

The DfE cannot overturn the decision about a complaint. The DfE's role it to make sure the complaint is handled properly in line with the regulatory framework.

Approved by Personnel Committee: Autumn 2025
Date of next review: Autumn 2026

Stage 2 **Formal Complaint**
If after following the steps above you are not satisfied with the response, you should put your concerns in writing using the form in appendix 2 to the Executive Headteacher. If your complaint is regarding the Executive Headteacher you should write to the Chair of Trustees. The Executive Headteacher will investigate your concerns and respond within 15 school days.
Stage 3
If after following the steps above, you are not satisfied you should write to the Chair of Trustees to request the matter be considered by a complaints panel. Private and Confidential Mrs R Levin Chair of Trustees Complaints can either be posted to the school or emailed to trustees@yavnehcollege.org The Complaints Panel will comprise at least three people, 2 Trustees and at least one person who is independent of the management and running of the school.

Appendix 2

Complaint Form

Name	
Name of Pupil	
Year Group	
Address	
Telephone Number	
Email Address	
Please give details below of your complaint: (Please include as much information as possible about what specifically you are unhappy about and why)	
Date of Incident	
Name and role of who the complaint has been raised with (Please include any relevant dates)	

What action would you like the school to take in order to put things right?
List of relevant documents enclosed with the complaint form

Declaration

The information included in this complaint form is accurate to the best of my knowledge. I agree to cooperate fully with the complaints procedures and acknowledge my ongoing obligation to treat the School and its staff in a reasonable manner at all times.

Signed:

Dated:

Serial and Persistent Complaints

1. Serial and persistent complaints are taken seriously by the School as they put a strain on valuable resources and hinder the progress of proper investigations.

2. If a complainant tries to re-open the same issue, the School will inform them that the procedure has been completed and that the matter is now closed.

3. If the complainant contacts the School again on the same issue, the correspondence may be viewed as "serial" or "persistent" and the School may choose not to respond.

4. The School will not mark a complaint as "serial" before the complainant has completed all stages of the complaints procedure.

5. Under no circumstances will a complainant be marked as "serial" for exercising their right to refer their complaint to their MP, regardless of which stage the complaint has reached.

6. The School may consider a complaint to be "frivolous" or "vexatious" if:

    - complaints are obsessive, persistent, harassing, prolific, repetitious;
    - there is insistence upon pursuing unmeritorious complaints and / or unrealistic outcomes beyond all;
    - reason there is insistence upon pursuing meritorious complaints in an unreasonable manner;
    - complaints are designed to cause disruption or annoyance; or
    - demands for redress lack any serious purpose or value

7. Complainants should try to limit their communication with the School about the complaint while it is being progressed, as it is not helpful if repeated correspondence is sent (either by letter, phone, email or text) which is likely to delay an outcome being reached.

8. For complainants who excessively contact the School causing a significant level of disruption, we may specify particular methods of communication, provide a single point of contact and / or limit the number of communications which may be made with the School in a communication plan. This will usually be reviewed after three months.

9. The School will stop responding to a complainant where:

    - the School has taken every reasonable step to address the complainant's concerns;
    - the complainant has been given a clear statement of the School's position and their options; and
    - the complainant contacts the School repeatedly, making substantially the same points each time.

10. The School's case to stop responding will be stronger if it agrees with any of the following statements:

    - the complainant's letters, emails, or telephone calls are often or always abusive or aggressive;
    - the complainant makes insulting personal comments about or threats towards staff; and / or
    - the School has reason to believe the individual is contacting the School with the intention of causing disruption or inconvenience.

11. In response to any serious incident of aggression or violence, the School will immediately report this to the police for criminal investigation. The School may also withdraw the complainant's implied permission to enter or be on the School site(s).

12. If the complainant's behaviour is a cause for concern, the Executive Headteacher can ask them to leave the school premises and bar individuals from entering. If the School makes the decision to bar a complainant from the school premises, it will provide the complainant the opportunity to express formally their views on a decision to bar.

13. The Executive Headteacher's decision to bar will be reviewed by the Chair of Trustee or a Trustee appointed by the Chair for this purpose. If the decision is confirmed, the complainant will be notified in writing, explaining how long the bar will be in place and when the decision will be reviewed.