



# Oporto British School

To Strive for Success and to Serve *Est. 1894*

## Complaints Policy and Procedures

The School will take all complaints seriously. It will investigate them and act accordingly. As far as possible, each complaint will be received with an open mind and no action will be taken until both sides have been thoroughly investigated. It is recognised that there are many levels of complaint and care must be taken to deal with the complaint at the appropriate level. Furthermore, judgement must be exercised to establish whether a concern is a concern or a complaint. A concern is generally issued verbally and can often be handled by the person who receives it. This may be a Class or Form teacher, for example. Similarly, should a concern be voiced to a more senior member of staff, it may be appropriate to refer that concern to a colleague to handle. If the issue raised verbally appears to be a complaint, the recipient should ask the complainant to write to the appropriate person, who should then follow the established procedures.

Where possible complaints will be dealt with **informally** between the parent and the member of staff most closely connected with the issue. However, there may be instances when the issue is more serious or where an issue has not been resolved to a parent's satisfaction and in such cases a more **formal** approach may be followed as outlined below.

This policy is made available on the school website/ School Office and is available for parents of pupils and prospective pupils.

### Stage 1 Informal Resolution

School-life and personal interaction is filled with concerns, which occur daily and at all levels. It would be ludicrous to formalise the handling of concerns. Teachers must use professional judgement when handling concerns. A word of explanation or clarification can often resolve a concern, with a parent for example. Similarly, a senior member of staff can resolve a concern of a colleague without having to resort to formal procedures. Having said that, it is prudent to make a note of such a contact, especially if there is a possibility that the concern may not be resolved and may even turn into a complaint.

It is hoped that most concerns and complaints will be resolved quickly and **informally**. In the first instance the concern or complaint should be raised, with the Class Teacher/Tutor or Subject Teacher. If the Class Teacher/Tutor or Subject Teacher cannot resolve the matter alone, it may be necessary for him/her to consult with their Head of Section or Head of Department, or if it is an academic matter the respective Academic Coordinator. A resolution, which may involve a meeting or a written response, will normally follow within two to five working days.

### Stage 2 Referral to the Head of Section

It might be that the parent(s) feel that the matter has not been resolved after Stage 1 and so they should therefore contact the relevant Head of Section. \*Again the matter will be acknowledged within two working days and a full written response with the details of any action taken to investigate the matter would normally take up to seven working days.

A written record of all concerns and complaints and the date on which they were received, along with details of how the complaint was resolved will be held by the Head of Section.



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## Stage 3 (Formal) Referral to the Headmaster

In the case of a serious concern, or when a concern has not been resolved at the informal stage, it may be appropriate to address the complaint directly to the Headmaster. In such cases, the complaint must be put in writing and the Headmaster, upon receipt of the complaint, will take responsibility for the investigation and/or *may appoint a senior member of staff to act upon his behalf*. If the concern is about an action by the Headmaster personally, the complaint should be put in writing to the Chairman of the Board

The Headmaster will acknowledge receipt of the communication, normally within one day, and indicate what further investigation is required and when the parent can expect to receive a reply. The Headmaster will respond with an undertaking to complete the investigation, as far as possible, within ten working days. Included with the complaint should be details that might assist the investigation, such as names of potential witnesses, dates and times of events and copies of relevant documents.

The Headmaster may wish to meet with the complainant in order to clarify the complaint. The Headmaster is free to collect any other evidence deemed necessary. In a situation where this involves an interview with a member of staff who is the subject of a complaint, a colleague or supportive friend of the member of staff may be present at the interview if they so wish.

The investigation will begin as soon as possible and once it has been concluded, there are a number of possible outcomes.

- The complaint cannot be upheld due to there being insufficient evidence to reach a conclusion.
- The concern was not substantiated by the evidence.
- The concern was substantiated in full or in part and some details will be given of the action the school may be taking to review procedures, and so on, although details of any disciplinary procedures will not be released.
- The matter has been fully investigated and appropriate procedures are being followed. These are strictly confidential, especially when they involve staff disciplinary procedures.

The complainant will be informed in writing of the outcome of the investigation and told that the Headmaster's consideration of the complaint has now been concluded.

Depending on the outcome, the complainant can receive one of the following.

- An apology
- An explanation
- Immediate action to put things right
- An assurance that the school will do all that it reasonably can to prevent the situation that caused the complaint from ever happening again.

If the complainant is not satisfied with the outcome and the way in which the process was followed, he/ she may decide to take the process to the next stage by writing to the Chair of the Board.



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A central record will be kept by the Headmaster of all **Formal Complaints** indicating whether they were resolved at this stage (Stage 3), or whether they proceeded to a Board of Governors Panel Hearing (Stage 4)

## **Stage 4 Referral to the Board of Governors**

It is hoped that parents will feel satisfied with the outcome given by the Headmaster, or at least will understand the situation more fully and be assured that their concerns have been completely considered. If they are not satisfied they may, within ten working days of receipt of the outcome letter, write to the Chairman of the Board to request a Panel Hearing.

The Chairman will ask the Business Manager to convene a Panel of at least three members who have not been directly involved in the matters detailed in the complaint. One member of this Panel would normally be independent of the management and running of the School (e.g. School lawyer). A Panel Hearing will take place as soon as practicable and within ten working days of receiving the request to take the matter to this Stage (4). The Panel may require that further particulars of the complaint be supplied in advance, copies of which shall be supplied to all parties not later than three days prior to the Hearing. One other person may accompany the parent(s) to the Hearing. *Legal representation will not normally be appropriate.*

The letter from the complainant to the Chairman is important, because if this has not been received, the Panel is unable to consider any complaint. The letter should include full details of the complaint, together with any details that might assist the investigation, such as names of potential witnesses, dates and times of events and copies of relevant documents. Receipt of this letter should be acknowledged and if possible the Chairman should write to the complainant with this acknowledgement within five school days, but no more than ten days.

If possible the Panel will resolve the parents' complaint immediately without the need for further investigation. Where further investigation is required the Panel Hearing will enable **each party** involved to explain their understanding or interpretation of the events that led to the complaint. The parties may also question each other, call witnesses and question witnesses called by other parties.

Following final statements by the Headmaster and the complainant, the hearing will be concluded by the Chairman who will explain that the Panel will consider its decision and write to both parties within five working days informing them of the outcome.

The Panel will then reach a decision and decide on any action to be taken. Where appropriate, changes to or requests for review of school systems or procedures should be suggested to ensure that problems of a similar nature do not happen again.

## **Confidentiality**

All correspondence, statements and records relating to individual complaints will be treated in a confidential manner and restricted to the Headmaster, except where any other legal obligation prevails.



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The complainant is not entitled to access any details of the investigation, except for any statements that may have been provided by their child. Any information relating to the application of disciplinary procedures is strictly confidential.

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 162A of the 2002 Act requests access to them.

The school will keep a written record of all complaints. As well as giving brief details of each complaint, there should be an indication of whether they were resolved at a preliminary informal stage, or whether they proceeded to the more formal stage and the review panel.

## Notes

\*The School will aim to resolve any concerns/ complaints as efficiently and effectively as possible. It should be noted that during holiday periods or due to exceptional circumstances, it is not always possible to meet the timescales set out in the above policy. The school will therefore aim to resolve matters within 30 working days.

**Adopted: May 2002**

**Reviewed & Revised: March 2006/ January 2013/January 2016**



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## Complaint Form

Complaint Reference .....

Nature of Complaint Verbal/Written

Name of Complainant .....

Recipient of Complaint .....

Date of Complaint .....

Target of Complaint Member of Staff/Policy/Practice/Other

Name of Member of Staff (if appropriate) .....

Details of Complaint

Member of Staff Investigating .....

Details of Investigation

Outcome and Response (including date)

Corrective Action

Lead to Preventative Action

Documents attached

Head of Section signature

Date

Headmaster's signature

Date