



THE ORATORY

COMPLAINTS PROCEDURE

Policy Owner:	Head Master
Type of Policy:	Regulatory
Regulatory Body* (if a regulatory policy)	Department for Education Independent Schools Inspectorate
Relevant Legislation* (if a regulatory policy)	The Education (Independent Schools Standards) (England) Regulations (updated September 2020): Part 7 – Manner in which complaints are to be handled) National Minimum Standard for Boarding 18 <i>School Complaints Toolkit</i> (Department for Education 2014)
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Linked policies	Safeguarding and Child Protection

This procedure is written to comply with The Education (Independent Schools Standards) (England) Regulations (updated September 2020): Part 7 – Manner in which complaints are to be handled) and National Minimum Standard for Boarding 18, and with regard to the Department for Education guidance *School Complaints Toolkit* 2014.

Introduction

The Oratory School 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 in accordance with this Procedure.

1. What is a complaint?

1.1 A complaint is any matter about which a parent of a pupil is unhappy and seeks action by the school. The school does not distinguish between “concerns” and “complaints” for the purposes of this procedure.

2. To whom does the Procedure apply?

2.1 The procedure applies to parents of current pupils at The Oratory School. “Parents” are all natural parents (married or otherwise); any person with parental responsibility; any person who has care of a pupil.

2.2 The procedure only applies to former pupils of The Oratory School if the complaint was initially raised when the pupil was still registered at the school.

2.3 The procedure does not apply to parents of prospective pupils and does not cover exclusions (for exclusions see separate Exclusions Policy).

3. Safeguarding

3.1 Where a complaint involves issues of child protection or safeguarding then the school's safeguarding and child protection policy will be followed and the Designated Safeguarding Lead or Head Master contacted in the first instance.

4. Stage 1 – Informal Resolution

- 4.1** It is hoped that most complaints and concerns will be resolved quickly and informally.
- 4.2** If parents have a complaint they should normally contact their son or daughter's Housemaster in the first instance. In many cases, the matter will be resolved straightaway by this means to the parent's satisfaction. If the Housemaster cannot resolve the matter alone, it may be necessary for him to consult the Deputy Head Pastoral or Deputy Head Academic, depending on the nature of the complaint. The timescale for the management of a Stage 1 complaint is 7 working days.
- 4.3** Complaints made directly to one of the Deputy Heads or the Head Master will usually be referred to the relevant Housemaster unless the Deputy Head deems it appropriate for him or her to deal with the matter personally. The Head Master would only deal with the complaint at Stage 2.
- 4.4** It may be that, through discussion with the Housemaster, the matter can be resolved quickly and informally and the parent feels that there is no need to take things further. If, however, the parent feels that their complaint has not been satisfactorily resolved through informal consultation or if the issue is not suitable for informal resolution, they may consider making a formal complaint, the procedure for which is explained below.

5. Stage 2 – Formal Resolution

- 5.1** If the complaint cannot be resolved on an informal basis, then the parent should put their complaint in writing to the Head Master. The Head Master will then decide, after considering the complaint, the appropriate course of action to take.
- 5.2** In most cases – unless, for example, the parent is abroad or otherwise unavailable - the Head Master will meet with the parents concerned within fourteen working days of receiving the complaint to discuss the matter. If possible, a resolution will be reached at this stage.
- 5.3** It may be necessary for the Head Master to carry out further investigations.

5.4 The Head Master will keep written records of all meetings and interviews held in relation to the complaint.

5.5 Once the Head Master is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and the parent(s) will be informed of this decision in writing within 28 working days of the meeting. The Head Master will give reasons for his decision.

5.6 If the parent is still not satisfied with the decision, they may proceed to Stage 3 of this procedure.

6. Stage 3 – Panel Hearing

6.1 If a parent wishes to invoke Stage 3 (following a failure to reach an earlier resolution), they must do so within 14 days of the date of the Head Master's written response at Stage 2, unless there are genuine extenuating reasons which impeded the parents from doing so. If after 14 days there has been no communication from the parents, the complaint will be assumed to have been resolved at Stage 2.

6.2 Parents will be referred by the Clerk to the Governors to the Chairman of Governors who will call a hearing of the Complaints Panel.

6.3 The matter will then be referred to the Complaints Panel for consideration. The Panel will be made up of three members consisting of two members of the governing body and an individual who is independent of the management and running of the school. Each of the Panel members shall be appointed by the Chairman of Governors. The Clerk to the Governors will then acknowledge the complaint and schedule a hearing to take place as soon as practicable within 28 working days.

6.4 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 7 days prior to the hearing.

6.5 The parent(s) may be accompanied to the hearing by one other person. This may be, for example, a relative, teacher or friend. Legal representation will not normally be appropriate.

- 6.6** If possible, the Panel will resolve the parent's complaint immediately without the need for further investigation. This will be a full-merits hearing of the complaint, not merely a check that process was followed.
- 6.7** Where further investigation is required, the Panel will decide how it should be carried out. After due consideration of all the facts they consider relevant, the Panel will reach a decision and make recommendations, which it shall complete within fourteen days of the Hearing. The Panel will write to the parent(s) informing them of their decision and their reasons for it. The Panel's decision will be final.
- 6.8** A copy of the Panel's findings and any recommendations will be sent to the parent(s) and, where relevant, the person complained about.
- 6.9** The Panel's findings and any recommendations will be available for inspection on the school premises by the Chairman of Governors and the Head Master.

7. Persistent Correspondence

- 7.1** Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, the school reserves the right to regard this as vexatious and therefore outside the scope of the policy.

8. Confidentiality

- 8.1** Parents can be assured that all concerns and complaints will be treated seriously and confidentially, the latter insofar as is practicable, consistent with the school's need to investigate the complaint. 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 109 of the 2008 Education and Skills Act requests access to them.

9. Record-keeping

9.1 In line with Department for Education guidance, records of all complaints made in writing under the formal part of the Procedure will be kept for at least seven years, unless there is a safeguarding angle, in which case different timescales will apply.

9.2 This log will record whether the complaints were resolved following a formal procedure or proceeded to a panel hearing, and any action taken by the school as a result of these complaints (regardless of whether they were upheld).

9.3 The number of complaints which went to Stage 2 or Stage 3 in the previous academic year can be requested by current parents from the Head Master's PA.