

## Concerns and Problems Complaints Policy and Procedure

**Issue Date:** 14/04/18, 13/04/18, 28/03/19, 27/03/20, 27/03/20 & 01/09/20,  
01/09/2021,31/03/2022

**Review Date:**

**Endorsement:** Full endorsement to this policy is given by:

**Name:** Thais Bishop  
**Position:** Brighton Waldorf School Trustee  
**Signed:** 

**Review Date:** 30/03/2023

### Policy Statement

The school undertakes to ensure, as far as reasonably possible, that all complaints from parents should be investigated, properly considered and the findings made known to the college of teachers and the trustees, the complainant and others about whom the complaint has been made.

We further undertake to ensure, as far as reasonably possible, that the parents or prospective parents of Brighton Waldorf School have access to a written description of a transparent complaints procedure. This is currently on the School's website and on request from reception.

In the interests of fairness and openness it is our policy that any complaints made specifically against a member of staff will be shared with the staff member concerned as part of the Complaints Procedure.

### Procedure

#### 1. Informal stage | Concerns:

- 1.1. We hope that this procedure will help us to listen to & acknowledge your concerns & to treat you fairly & consistently. We are committed to treating your concerns seriously & to finding solutions that work for you & others involved.
- 1.2. 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:
  - 1.2.1. Concerns about teaching or aspects of the education – your child's early years' practitioner, class teacher or upper school guardian/sponsor

- 1.2.2. Concerns about general administrative aspects of the school – the school administrator
- 1.2.3. If for any reason you feel unable to speak directly to the person concerned, please contact a member of the schools’ Designated Person (DP) Hannah Joel, the School Administration, who will facilitate a meeting with the member of staff involved.
- 1.3. Members of staff have been asked to record<sup>1</sup> (form A5) the reason for any concern as well as next steps that may be identified during the conversation (i.e. actions arising. Where this is agreed to be unnecessary, the note will state the nature of the concern & “no further action required”). You will be asked to sign the note & this will be filed for review by the schools’ DP. It is the DP’s responsibility to follow-up concerns & to ensure that agreed further action is implemented. The DP may contact you to check that your concern has been dealt with
- 1.4. If concerns remain, the DP at your request, will arrange a further facilitated meeting &/or meeting with a neutral note-taker to help explore your concern informally

*If the concern is complex, or cannot be resolved in this way, we offer the services of independent mediators. Working in consultation with the DP, the mediators aim to provide a secure, confidential process intended to assist good communication & to help find appropriate resolution. Mediation can take place when all those involved agree to it*

*Mediators will not retain notes of matters discussed during the process of mediation, except in the form of any agreed outcomes, which we do in order to ensure that these can be followed up*

*While we would not wish to put a fixed timescale to matters of concern, we are aware that concerns should not be allowed to prolong. We would normally expect any informal concerns to be resolved speedily. If mediation is used, the entire process would normally be completed within 21 working days. You will be consulted & your agreement sought for an extension (e.g. in order to ensure that sufficient time is given to the process of resolution)*

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<sup>1</sup> See form A2 for Concerns’ Record Form

## 2. Formal Stage | Complaints:

2.1. It is our aim to deal with any issues that may arise through our concern procedure. However, if the matter cannot be resolved informally you should raise it as a formal complaint by putting it in writing.

2.2. **N.B.** We will do everything reasonable to manage your complaint within the timescales set out here. In the interests of accuracy & natural justice, however, the procedure may sometimes take longer. If this happens the DP will contact, you in order to discuss an extended timescale

Complaints at this stage will be registered for the purposes of inspection. General information will be provided to school inspectors when they visit. We are required by regulations to do this. Your details however will kept confidentially. You should put your complaint into writing addressed to the DP **& for attention of the Chair of Trustees**, who will register that a formal complaint has been received (Trustees will not be involved with handling the complaint at this stage). Please use the Formal Complaint form<sup>2</sup>, where possible. If you need help in setting out your complaint the DP will assist you in this

2.3. You should receive acknowledgement of a formal complaint within 24 hours & we aim to offer an investigative meeting within 5 working days

2.4. The DP will ensure that a full investigation is carried out into the circumstances of the complaint & once the DP is 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

2.5. This process will normally take no more than 10 working days

2.6. Although informed that there has been a formal complaint, the school's Trustees will take no part in dealing with the matter up to the panel stage

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<sup>2</sup> See form A3 for the relevant complaint forms

- 2.7. If you do not agree with the report or recommendations of the DP, you can call for a **Review Panel Hearing**<sup>3</sup> by writing directly to the Chair of Trustees. The Trustees will then appoint the panel. Normally two members of the Panel would be Trustees who have not been involved in handling the complaint. The third member of the panel would be a suitably qualified person independent of the schools' management or governance. The appointment of the panel is the responsibility of the schools' Trustee.
- 2.8. Once appointed, the Panel Chair will contact you within 48 hours to inform you of the procedure & composition of the Panel, this will include –
- 2.8.1. the date & time of the hearing - normally within 14 days
  - 2.8.2. the process & aim:
    - 2.8.2.1. members of the panel will review the complaint confidentially, with objectivity & without fear or favour
    - 2.8.2.2. the Panel will hear your concerns & may call for the staff members against whom the complaint has been made
    - 2.8.2.3. The role of the panel 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
    - 2.8.2.4. You have the right to be accompanied to a panel hearing by one other person, who may be a relative, friend or supportive acquaintance (legal representation will not normally be accepted)
    - 2.8.2.5. If you want to supply any further information you should do so within one week of the date of the panel hearing. All further information will be made available to all those involved. Any new information supplied at the time of a Panel Hearing may result in a delay of a final decision or the need to reconvene the meeting at a later date
    - 2.8.2.6. The decision of the Panel will be final. The school offers no further appeal to the decision of a Review Panel

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<sup>3</sup> The general procedure is set out in form A4

2.9. The panel will make themselves familiar with the procedure & information relevant to the complaint & convene a Panel Hearing as soon as possible

2.10. Following the hearing, the Panel Chair will inform you & the subject of the complaint of their decision in writing, normally within 10 working days

2.11. The same basic procedure applies where the complaint is of a more general nature, e.g. about some aspect of the operation of the school

### **3. Formal Stage | Complaints Records:**

3.1. We keep the following records of complaint:

3.1.1. The complaint will be listed with the date it was first raised

3.1.2. The nature of the complaint

3.1.3. Dates of meetings, communications & those attending them

3.1.4. Whether the matter was resolved

3.1.5. Copies of all documentation

3.2. Complaint records will be kept confidential & secure

3.3. The school will publish the number of complaints dealt with each year, as required by regulation. This record will be made available to school inspectors when they conduct inspections in accordance with the law

### **4. Non-Parental complaints:**

At the discretion of the Trustees, 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 schools.

### **5. The Early Years Foundation Stage Complaints**

**Parents who wish to do so can submit written complaints relating to their fulfilment of the EYFS to be dealt with.** You can fill in an online complaints form at

<https://contact.ofsted.gov.uk/online-complaints> or write to:

Enquiries

National Business Unit

Ofsted

5th, 6th and 7th Floors

Piccadilly Gate

Store Street

Manchester

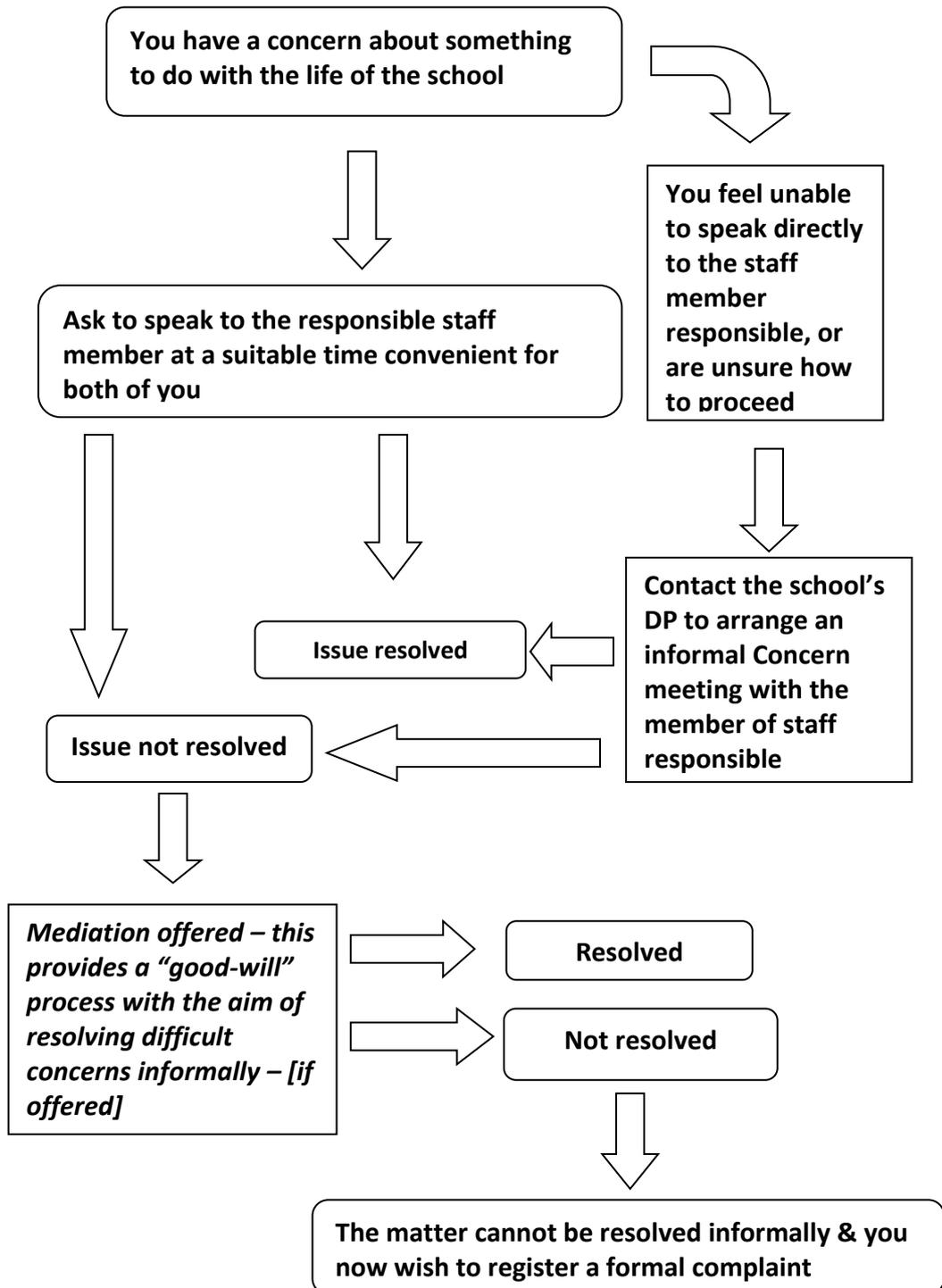
The Complainants will be notified by the school of the outcome **within 28 days** of having received the complaint.

**6. Other agencies:**

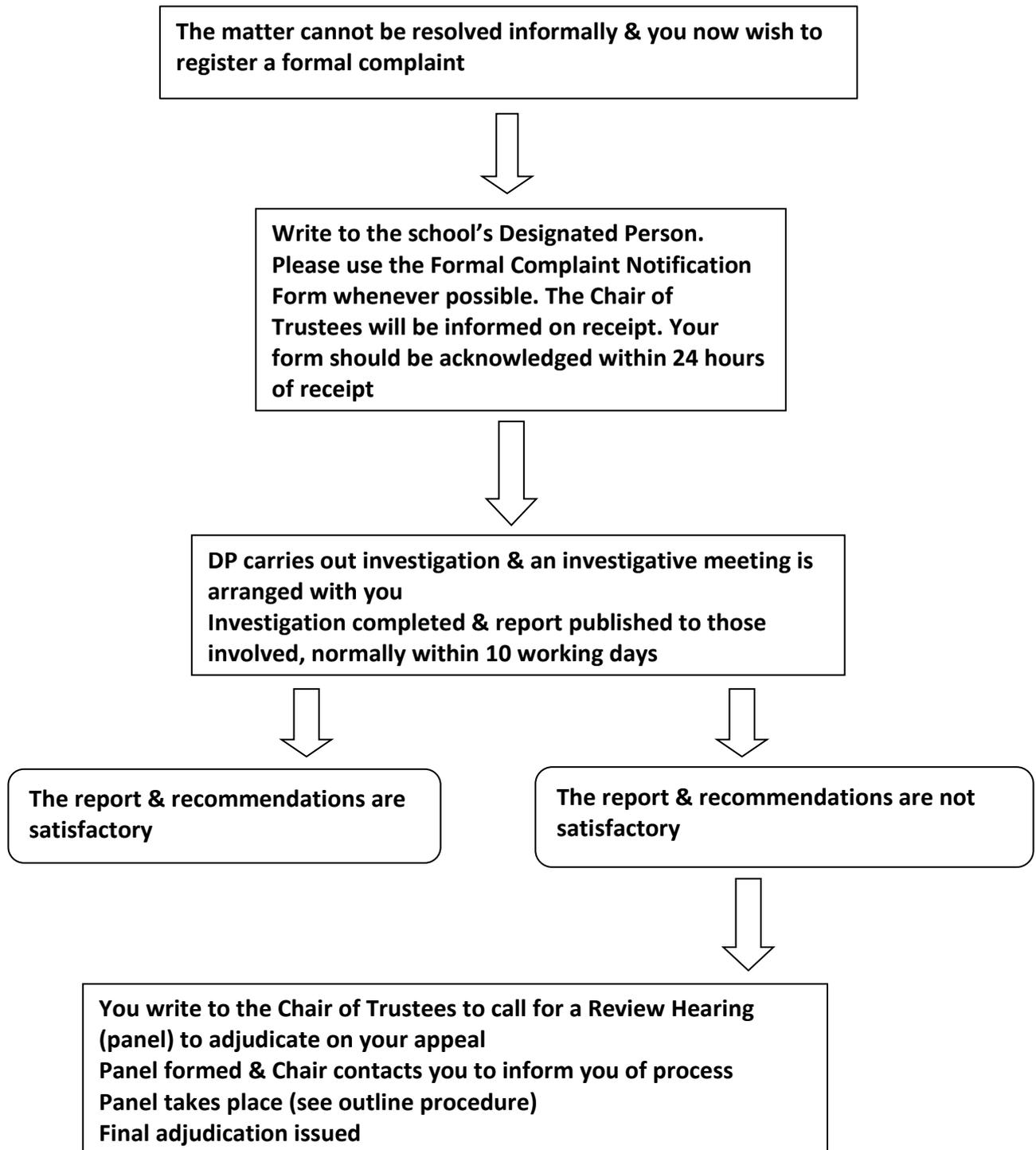
- 6.1. Ofsted publishes a booklet, available online at <http://www.ofsted.gov.uk/Ofsted-home/Footer/How-to-complain> which explains the process if you decide to take your complaint to the regulator.
- 6.2. If your complaint is about an independent school, you can send your complaint in writing to –

Independent & Boarding Team  
Department for Education  
Mowden Hall  
Staindrop Road  
Darlington  
DL3 8BG

**Flowchart – Overview for Concerns & Complaints Procedure**  
**Informal Concerns:**



**Flowchart – Overview for Concerns & Complaints Procedure**  
**Formal Complaint:**



**Concerns Record Form**

**(For the informal stage of Concerns' & Complaints' Procedure)**

**Briefly summarise the nature of the concern(s):**

**Are there any further actions, or agreed next steps following this meeting. If so what are they?**

**Other observations:**

**Name**

**Name (member of staff):**

**Date:**

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**Formal Complaint Notification**  
**(Formal stage of Complaint Procedure)**

**Your name & contact details:**

**Please set out the issues of your 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 school's designated Complaints' Officer, who will inform the Chair of Trustees that a formal complaint has been lodged.**

**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 hearing. Normally the Panel Chair would be the “independent” panel member. The following notes provide a general overview of the way a hearing will normally be conducted:**

The role of the 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 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 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 hearing.

1. Prior to the hearing, the parties should wait in separate rooms. The Review Panel will hear evidence from the parties separately
2. The 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 investigation
4. Agreed witnesses may be called (normally witness evidence will be provided in written form)
5. The Panel may ask questions for clarification
6. The complainant & companion leave the meeting room
7. The 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 panel considers what it has heard & the evidence & may recall either party for to answer further questions
10. The panel considers its decision – either to

- give a verbal summary of its unanimous decision
  - reserve its decision for 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 panel<sup>4</sup>
11. The deliberations of the panel are confidential. If there is a split decision, the Chair has the casting vote.
12. The 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 complaints do not reoccur
    - it may require the school to take action to redress the 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 panel, or
  - to be told of the decision to reserve judgement
  - to be told that the panel, having been unable make a decision, will dissolve with a new panel to be convened at the earliest possible opportunity
14. If there is to be a summing up, the 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 panel to assist their understanding of the adjudication.
15. The outcome of the panel will be confirmed in writing within 10 working days
16. The school’s internal procedure is complete

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<sup>4</sup> 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...