

## Elmhurst School for Dance

### In Association with Birmingham Royal Ballet

### Policy on the handling of concerns and complaints

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#### Introduction

- 1 **Circulation:** This policy is addressed to the Senior Management Team; to all members of the teaching and pastoral staff, including school medical staff and nursing staff; and, on request, to parents and pupils.
- 2 **Policy status:** The policy has been approved by the Principal of Elmhurst School for Dance. It provides guidelines for handling concerns and complaints. It takes account of Regulation 7 of the *Education (Independent School Standards)(England) Regulations 2003*. The procedures set out below may be adapted as appropriate to meet the policy aims and circumstances of each case. Certain of the procedures can only be carried out during term time.
- 3 **Application:** Separate procedures apply in the event of a child protection issue or if the Principal expels or asks a pupil to leave and the parents seek a Governors' Review of that decision.
- 4 **"Parent/s"/"You"** includes a current or prospective parent or legal guardian or education guardian, or a pupil aged 16+, and may at our discretion include a parent whose child has recently left the School.
- 5 **Four stages:** This policy describes a four stage procedure -
  - Stage 1** - Informal raising of a concern or difficulty notified orally or in writing to a member of staff.
  - Stage 2** - A formal complaint in writing to the Principal.
  - Stage 3** - A renewed complaint in writing to the Chairman of the Governing Body.
  - Stage 4** - A reference to the Complaints Panel.Separate procedures apply if a pupil has been expelled or asked to leave or if a child protection issue has arisen.

A concern about the safety of your child should be notified immediately to the person you believe is best placed to take urgent action and should be confirmed in writing to the Principal.

#### Policy aim and statement

- 6 **Aim:** The aim of this policy is to ensure that a concern or complaint is managed sympathetically, efficiently and at the appropriate level, and resolved as soon as possible. Doing so is good practice, it is fair to those concerned and it helps to promote parents' and pupils' confidence in our ability to safeguard and promote welfare. We will try to resolve every concern or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing our systems and procedures in light of the circumstances.
- 7 **Policy statement:** We need to know **as soon as possible** if there is any cause for dissatisfaction. We recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of

resentment, which would be damaging to relationships and also to our school culture. Parents and pupils should never feel - or be made to feel - that a complaint will be taken amiss or will adversely affect a pupil or his/her opportunities at this school. The policy however distinguishes between a **concern or difficulty** which can be resolved informally and a **formal complaint** which will require investigation.

## Management of complaints

- 8 **Designated Person:** The Principal has appointed a senior member of staff ("**Designated Person**") to be responsible for investigating and resolving complaints. If the Designated Person is unavailable or is the subject of the complaint, his/her duties will be carried out by the Principal or another senior member of staff. The main responsibilities of the Designated Person are to -
- 8.1 Be the first point of contact while the matter remains unresolved and keep records.
  - 8.2 Co-ordinate the complaints procedures in school.
  - 8.3 Maintain an on-going training programme for all school employees in relation to complaints.
  - 8.4 Monitor the keeping, confidentiality and storage of records in relation to complaints.
  - 8.5 Report regularly to the Principal with respect to complaints.
- 9 **Duty Officer:** A senior member of staff is designated the **Duty Officer** at all times when the School is open. The Duty Officer has authority to take decisions relating to most matters of pastoral care and discipline. The Duty Officer can be contacted by means of a mobile phone or voicemail, details of which are provided in the [School Calendar] at the start of each term.
- 10 [**Orange form**]: Every concern or complaint notified to a member of staff will be noted, together with the action taken, on a standard form known as an **Orange**. A sample of the form is attached to this policy.

## Stage 1 - concerns & difficulties

- 11 **Concerns:** We expect that most concerns, where a parent or pupil seeks intervention, reconsideration or some other action to be taken, can be resolved informally. Examples might include a dissatisfaction about some aspect of teaching or pastoral care, or about allocation of privileges or responsibilities, or about a timetable clash or some other aspect of the School's systems or equipment, or a billing error.
- 12 **Notification:** Please raise the concern initially as follows -
- 12.1 **Education issues** - if the matter relates to the a dance matter, the classroom, the curriculum or special educational needs, please speak or write to the Head of the relevant Department or Faculty or Housemaster/Housemistress as appropriate.
  - 12.2 **Pastoral care** - for concerns relating to matters outside the classroom or in the House, please speak or write to the Housemaster or Housemistress or the Designated Person or Duty Officer (see below).
  - 12.3 **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, and, if not resolved, with the Housemaster/Housemistress or Duty Officer.
  - 12.4 **Financial matters** - a query relating to fees or extras should be stated in writing to the Finance Director.

- 13 **Acknowledgement:** We will acknowledge a written notification by telephone, fax, e-mail or letter within ten working days of receipt during term time and as soon as practicable in the holidays. A matter raised orally will not necessarily be acknowledged in writing but an **Orange form** will be completed, and a copy sent to the Designated Person.
- 14 **Unresolved concerns:** A concern which has not been resolved by informal means within 15 working days should be notified in writing as a **formal complaint** which will be dealt with in accordance with Stage 2 below.

## Stage 2 - formal complaint

- 15 **Notification:** An unresolved concern under Stage 1, or a complaint which needs investigation, or a dissatisfaction with some aspect of the School's policies, procedures, management or administration should be set out in writing with full details and sent with all relevant documents and your full contact details in an envelope addressed to the **Principal** or to the **Designated Person**. Your complaint will be acknowledged by telephone or in writing within ten working days during term time, indicating the action that is being taken and the likely time scale. An **Orange form** will be completed and sent to the Designated Person.
- 16 **Investigation:** The Principal may ask a senior member of staff to act as "**investigator**" and/or may involve one or more Governors. The investigator/s may request additional information from you and will probably wish to speak to you personally and to others who have knowledge of the circumstances. The outcome of the investigation will be reported to the Principal who will then notify you in writing of his decision and the reasons for it. Written records will be kept of all meetings and interviews held in relation to your complaint.

## Stage 3 - reference to the Chairman

- 17 **Notification:** If you are dissatisfied with the Principal's decision under Stage 2, your complaint may be renewed in writing to the Chairman of the Governing Body. Your letter to the Chairman should give full details of your complaint and enclose all relevant documents and your full contact details. Your letter will normally be acknowledged by telephone or in writing within ten working days during term time, indicating the action that is being taken and the likely time scale.
- 18 **Action by the Chairman:** The Chairman will arrange for your complaint to be investigated following procedures equivalent to those described in Stage 2 (above). When the Chairman is satisfied that he has established all the material facts and relevant policies, so far as is practicable, he will notify you in writing of his decision and the reasons for it.

## Stage 4 - Reference to the Complaints Panel

- 19 **Composition:** We have constituted a Complaints Panel ("Panel") comprising School Governor members and members who are independent of the governance, management and running of the School.
- 20 **Notification:** To request a hearing before the Complaints Panel please write to the Clerk to the Governors **within seven working days of the decision complained of**. Your request will only be considered if you have completed the procedures at Stages 1-3. Please ensure that a copy of all relevant documents and your full contact details accompany your letter to the Clerk. Please state in your letter the outcome that you desire and all the grounds of your complaint. Please also send the Clerk a list of the documents which you believe to be in the School's possession and wish the Panel to see. The Clerk will acknowledge your request in writing within four working days.
- 21 **Convening the Panel:** The Clerk to the Governors will convene the Complaints Panel as soon as reasonably practicable but the Panel will not normally sit during half terms or school holidays. The Panel will consist normally of **a minimum of three individuals** who have no detailed prior

knowledge of the circumstances of the complaint. One member of the Panel shall be an **independent member**. You may ask the Clerk to tell you who has been appointed to sit on the Panel.

- 22 **Notice of hearing:** As soon as reasonably practicable, the Clerk will send you written notification of the date, time and place of the hearing together with brief details of the Panel members who will hear it.
- 23 **Attendance:** You will be asked to attend the hearing and may be accompanied by one other person such as a relative, teacher, or friend. It is not necessary for that person to be legally qualified but if you do wish to be accompanied by a legally qualified person, acting in their professional capacity, please notify the School at least seven days before the hearing. Your child may attend part or all of the hearing at the discretion of the Chairman. Copies of additional documents you wish the Panel to consider should be sent to the Clerk at least **three clear days** prior to the hearing.
- 24 **Chairman:** The hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in an informal manner.
- 25 **Hearing:** All statements made at the hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes. The Chairman may direct that the hearing is tape recorded to assist accurate recollection for purposes of the decision. The Panel will be under no obligation to retain tapes thereafter. The Clerk will be asked to take a handwritten minute of the proceedings in any event.
- 26 **Evidence:** The Chairman will conduct the hearing in such a way as to ensure that all those present have the opportunity of asking questions and making comments in an appropriate manner. The hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.
- 27 **Conduct:** All those attending the hearing are expected to show courtesy, restraint and good manners or, after due warning, the hearing may be adjourned or terminated at the discretion of the Chairman. If terminated, the original decision will stand. Any person who is dissatisfied with any aspect of the way the hearing is conducted must say so before the proceedings go any further and his/her comment will be minuted.
- 28 **Adjournment:** The Chairman may at his/her discretion, adjourn the hearing for further investigation of any relevant issue.
- 29 **Decision:** After due consideration of the matters discussed at the hearing, the Panel shall reach a Decision unless there is an agreed position. The Panel's decision may be notified orally at the hearing or subsequently and shall be confirmed in writing to you within seven working days. Reasons for the Decision will be given. The Decision may include recommendations and will be sent to you, the Chairman of the Governing Body, the Principal and, where relevant, any person about whom the complaint has been made.
- 30 **Private proceeding:** A hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be made available directly or indirectly to the press or other media.
- 31 **Confidentiality:** Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required by Regulation 6(2)(j) of the *Education (Independent School Standards) (England) Regulations 2003* [Pupils with Statements of Special Educational Needs or for whom English is an additional language], or where disclosure is required in the course of a school's inspection or under other legal authority.

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[By resolution of the Governing Body]

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[ ]

**Chairman of Governors**

Date:

[ ]

**Principal**

Date:

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**Circulation:** Governors; Principal; Senior Management Team; all teaching support staff.  
Parents' Guide; Parents and Pupils on request.]

**Legal Status:** Complies with *Regulation 7 Education (Independent Schools Standards) (England) Regulations 2003*

**Policy Updated:** October 2005

**Complaints Form**

**This form is to be completed by any member of staff who receives a complaint or who wishes to make a complaint. It should be passed to the P.A. to the Principal.**

**1. What is the nature of the complaint?** (Please tick)

- |   |  |
|---|--|
| <input type="checkbox"/> Staff Conduct:                 | <input type="checkbox"/> Parental Conduct:                                       |
| <input type="checkbox"/> Teaching Standards :           | <input type="checkbox"/> Pastoral Care:  |
| <input type="checkbox"/> Condition of Premises:         | <input type="checkbox"/> Time Tabling:   |
| <input type="checkbox"/> Matters of Regime and Routine: | <input type="checkbox"/> Access to or Regulation of Extra Curricular Activities: |
| <input type="checkbox"/> Other (please give details):   |  |

**2. Please give details of the complaint:**

Date/s of Incident:

Time/s:

**3. If the complaint is about someone's behaviour, please give the names of any witnesses to the incident/s:**

**4. Action Taken:**

**Name:**

**Date:**

**Signed:**