



**Maharishi School
Complaints Procedure
Revised April 2018**

Maharishi School Complaints Procedure sets out to ensure that:

- the school listens and acts on complaints;
- all complaints are investigated thoroughly, fairly and promptly wherever possible;
- the school will find a resolution;
- Complainants will not suffer as a result of a complaint.

This procedure is not intended to replace the normal discussions regarding problems and concerns which take place in school on a day-to-day basis. It is only where the complainant remains dissatisfied with the outcome of such discussions that further steps may need to be taken. This procedure applies to all staff.

2. Legislation and Guidance

This document meets the requirements set out in part 7 of the schedule to [the Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

3. Definitions and scope

The DfE guidance explains the difference between a concern and a complaint.

A concern is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”. The school will resolve concerns through day-to-day communication as far as possible.

A complaint is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”. The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This procedure does not apply to issues concerning Admissions; Exclusions; Special Educational Provision; School reorganisation; Curriculum (including public examinations, school records on individual pupils, etc.); Grievances by Staff or Child Abuse. These matters are already provided for by existing statutory procedures, copies of which can be obtained from the School.

4. Principles for investigation

When investigating a complaint, we will try to clarify:

What has happened

Who was involved

What the complainant feels would put things right

We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage. Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

The school expects that complaints will be made as soon as possible after an incident arises and no later than 3 months afterwards. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

5. Stages of Complaint

Most complaints are best dealt with informally. If you have a concern about the school or the education provided, please discuss the matter with your child's class teacher in the first instance or the deputy head.

Stage 1 - informal

Maharishi School will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the relevant member of staff, deputy Headteacher or the Headteacher as appropriate, either in person or by letter, telephone or email. If the complainant is unclear who to contact, or how to contact them, they should contact the school office. If the concern

expressed relates to the Headteacher, the Chairman of Governors should be informed in writing. The school will acknowledge informal complaints within two working days, and investigate and provide a response within five working days.

The informal stage will involve a meeting between the complainant and the deputy head and/or Headteacher, as appropriate.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

Stage 2: formal

i) Inform the Headteacher in writing

This letter should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

The Headteacher (or designated member of the senior leadership team) will call a meeting to clarify concerns, and seek a resolution. The complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance.

In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

The Headteacher (or other person appointed by the Headteacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within ten working days.

If the complainant wishes to proceed to the next stage of the procedure, they should inform the chair of governors in writing within five working days.

ii) Inform the chair of governors in writing

This letter should set out the details of the complaint including evidence as set out above. The complainant should also specify what they feel would resolve the complaint, and how they feel the previous stage of the procedure has not addressed their complaint sufficiently.

The chair of the governors will produce a written conclusion of this investigation which will be sent to the complainant within ten working days.

If the complainant then wishes to proceed to the next stage of the procedure, they should inform the chair of governors in writing within five working days.

Stage 3 – Formal - Review Panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal stage.

The complaint will be heard by a panel of three people who have had no prior involvement. The panel will comprise of two members of the Governing Body and one additional panel member who is independent of the management and running of the school. The panel will have access to the existing record of the complaint's progress.

The panel hearing will convene within 20 working days of receipt of the complainant's escalation request to the chair of governors. The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. At the review panel meeting, the complainant and representatives from the school, as appropriate, will be present. Each will have an opportunity to set out written submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish. In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence. The panel, the complainant and the school representative(s) will be given the chance to ask and reply to questions. Once the complainant and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and will make a copy available for inspection by the Headteacher.

The Chair of the Panel will inform those involved of the decision in writing within 15 working days. The decision of the panel is final.

6. Complaints against the Headteacher or a governor

Complaints made against the Headteacher should be directed to the chair of governors.

Where a complaint is against the chair of governors or any member of the governing board, it should be made in writing to the clerk to the governing board in the first instance.

7. Referring complaints on completion of the school's procedure

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the ESFA. The ESFA will check whether the complaint has been dealt with properly by the school. The ESFA will not overturn a school's decision about a complaint. However, it will look into:

Whether there was undue delay, or the school did not comply with its own complaints procedure

Whether the school was in breach of its funding agreement with the secretary of state

Whether the school has failed to comply with any other legal obligation

If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

8. Persistent complaints

Where a complainant tries to re-open the issue with the school, after the complaints procedure has been fully exhausted and the school has done everything it reasonably can in response to the complaint, the chair of governors (or other appropriate person in the case of a complaint about the chair) will inform the complainant that the matter is closed.

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which we will not respond is if:

The school has taken every reasonable step to address the complainant's needs, *and*

The complainant has been given a clear statement of the school's position and their options (if any), *and*

The complainant is contacting the school repeatedly but making substantially the same points each time

However, this list is not intended to be exhaustive.

The school will be most likely to choose not to respond if:

We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience, and/or

The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or

The individual makes insulting personal comments about, or threats towards, school staff

Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

The school will ensure when making this decision that complainants making any new complaint are heard, and that the school acts reasonably.

9. Record-keeping

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or under the terms of the Data Protection Act, or where the material must be made available during a school inspection. Records of complaints will be kept for five years.

10. Learning lessons

The Chairman of the Governing Body will review any underlying issues raised by complaints with the Headteacher, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

11. Monitoring arrangements

The Chair of the Governing Body will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Chair of the Governing Body will track the number and nature of complaints, and review underlying issues.

This policy will be reviewed by the Headteacher every two years.

At each review, the policy will be approved by the governing body.