



# Harrow House & Oldfeld Complaints and Procedure Policy



Date approved: 26.09.14

Updated: 09.02.2015

Review Date: October 2017

Party responsible: Directors and Management Team

Linked policies: Safeguarding, Health & Safety, Data Protection, Code of behaviour, Equal opportunities, Allegations Against Staff, Whistle-blowing

## Introduction

This policy and procedure is for the benefit of pupils, and complainants of pupils, at Harrow House. This policy and procedure will be relied upon in respect of **all complaints** by students, complainants and partners made against Harrow House except in respect of:

- a. **Child protection allegations** where a separate policy and procedure applies
- b. **Expulsions for gross misconduct**

Harrow House expects that most complaints can be resolved informally and will endeavour to resolve any complaints that are made informally, that are raised, on that basis.

If informal procedures fail to resolve the issue, a formal complaint about any matter not involving child protection allegations or a decision to expel a student, must be given orally or in writing to the Directors and will be dealt with under this Complaints Policy and Procedure.

Every complaint shall receive fair and proper consideration and a timely response.

We will do all we can to resolve any concern raised.

All complainants can be assured that all complaints and expressions of concern, whether raised informally or formally, will be treated seriously and confidentially.

Correspondence, statements and records will remain confidential except in so far as is required, where disclosure is required in the course of a Harrow House inspection, or where any other legal obligation prevails.

## Complaints Procedure

Our Complaints Procedure will:

- Encourage resolution of problems by informal means wherever possible
- Be easily accessible and publicised
- Be simple to understand and use
- Be impartial
- Be non-adversarial
- Allow swift handling with established time-limits for action and keeping people informed of the progress
- Ensure a full and fair investigation by an independent person where necessary
- Respect people's desire for confidentiality
- Address all the points at issue and provide an effective response and appropriate redress, where necessary
- Provide information to Harrow House Directors and Management Team so that systems can be improved.

We will take complaints seriously at the earliest stage to reduce the numbers that develop into Stage Two complaints.

## Stage One - Informal Resolution

1. It is hoped that most complaints will be resolved quickly and informally.

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2. If a student / parent / partner has a complaint they should normally contact the Main Office. In many cases, the matter will be resolved straightaway by this means to the student / parent / partner's satisfaction. If the Main Office cannot resolve the matter alone, it may be necessary for them to consult the relevant Head of Department and/or Director(s).
3. Complaints made directly to a Head of Department or a Director will usually be referred to the relevant department unless they deem it appropriate for them to deal with the matter personally.
4. The Head of Department and/or Director(s) will make a written record, using CLASS and Outlook of all complaints and the date on which they were received. These records will be kept for one (1) year after the student leaves the College.
5. Harrow House will use its reasonable endeavours to resolve any informal complaints within ten (10) working days of them being raised, except where they are raised in a period where the College is closed for holidays where the College will use all reasonable endeavours to resolve them as soon as possible.
6. Should the matter not be resolved as referred to in paragraph 5 above, or in the event that Harrow House and the complainant fail to reach a satisfactory resolution, then the complainant will be advised to proceed with their complaint in accordance with Stage Two of this Procedure.

### **Stage Two - Formal Resolution**

7. If the complaint cannot be resolved on an informal basis (as set out in paragraphs 5 and 6 above), then complainants should put their complaint in writing to the Directors. They should also identify how they wish their complaint to be resolved.
8. The Directors will delegate responsibility for undertaking investigation of the complaint to the appropriate Head of Department unless he/she deems it appropriate for him/her to deal with the matter personally.
9. The Directors will decide, after considering the complaint, the appropriate course of action to take.
10. The Directors will use reasonable endeavours to speak to / contact formally by email within ten (10) working days of the formal complaint being received, except where the complaint is received in College holidays where the Directors will use their reasonable endeavours to speak or meet with the complainant as soon as possible.
11. It may be necessary for a Director to carry out further investigations.
12. The Directors will keep a written record of all meetings and interviews held in relation to the complaint.
13. Once the Director is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. The complainant will be informed of this decision in writing, giving reasons for the decision. The written decision should be provided no later than ten (10) working days after speaking or meeting with complainant to discuss the matter (pursuant to paragraph 10 above).
14. Harrow House will keep a written record of all formal complaints, including records of meetings and interviews held in relation to the complaint, and Harrow House's decision, which record will be kept for one (1) year after the student leaves Harrow House. This record will state if complaints were resolved at the preliminary hearing or if they were taken to appeal.
15. Where complainants are dissatisfied with the outcome of the College's response to their formal complaint, they have the opportunity to have their complaint considered by an independent Complaints Panel.

### **Three – Panel Hearing**

16. If complainants seek to invoke Stage Three following failure to reach an earlier resolution and where dissatisfied with the Directors' decision in respect of their formal complaint, the complainants may, in writing addressed to Harrow House, request that their complaint is further considered by an independent Complaints Panel set up for this purpose.

17. This request for further assessment of the complaint will, for the purposes of this Procedure, be known as an 'appeal'.
18. Complainants must lodge their appeal in writing and within ten (10) working days of the date of Harrow House's decision made in accordance with the Stage Two Procedure. The complainants should provide a list of their complaint(s) made against Harrow House and which they believe to have been resolved unsatisfactorily by the Stage Two Procedure, along with the remedies sought in respect of each.

The Complaints Panel is only obliged to consider the complaint(s) lodged in this 'initial submission' although they may use their discretion to consider other relevant and related matters that may subsequently arise.

19. Where an appeal is received by Harrow House, it will, within five (5) working days, refer the matter to the Clerk of Complaints Panel. Where the appeal is received by Harrow House during College holidays, or within two (2) working days of their commencement, Harrow House has up to five (5) working days upon commencement of the next College term to refer the matter to the Panel.
20. The Clerk provides an independent source of advice on procedure for all parties.
21. Once an appeal has been received by the Clerk, he/she will acknowledge the appeal in writing within five (5) working days, and inform the complainants of the steps involved in this Complaints Procedure.
22. The Clerk will then endeavour to convene an independent Complaints Panel hearing as soon as possible to consider the matter, normally no later than twenty (20) school days after receipt by the College of complainants' written notice that they wish to invoke the Stage Three Procedure, dependent upon the availability of the Panel members.
23. The independent Complaints Panel will consist of two Directors who have not previously been involved in the complaint, and one person independent of the management and running of Harrow House. The process used for selecting an independent person will conform to relevant guidance issued by the Department for Education.
24. The following are entitled to attend a hearing, submit written representations and address the Panel:
  - a. The complainant and/or one representative;
  - b. The Directors of Harrow House and/or one representative; and
  - c. Any other interested person whom the Complaints Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision-making.

Legal representation will not normally be appropriate.

25. Where the Complaints Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. In such cases all parties will be given the opportunity to submit written evidence to the Panel in support of their position, including:
  - a. Documents in support of complaint(s),
  - b. Chronology and key dates relating to complaint(s), and
  - c. Written submission setting out the complaint(s) in more detail.

This evidence will be considered by the Panel, along with the initial submission that was lodged by the complainants.

26. Evidence will be initially sent to the Clerk, who will then circulate the documentation to all parties, including the Panel members, along with an order of proceedings. All written evidence must be received by the Clerk no later than ten (10) working days in advance of the hearing. The Clerk will distribute the written evidence to the relevant parties no later than five (5) working days in advance of the Panel hearing.

27. It is for the Panel to decide how to conduct the proceedings of the appeal, which should be reasonably informal so that all parties can present their case effectively. If possible, the Panel will resolve the complainants' complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.
28. After due consideration of all the facts they consider relevant, the Panel will reach a decision, and may make recommendations, which it shall complete within ten (10) working days of the hearing. The decision reached by the Complaints Panel is final. Any decision reached that may have financial implications for Harrow House will need the appropriate approval from the full Board of Directors, although any such approval must be compatible with the decision of the Complaints Panel.
29. The Panel's findings will be sent by the Clerk in writing to the complainants, the Directors and, where relevant, the person complained of. The letter will state any reasons for the decision reached and recommendations made by the Complaints Panel.
30. Harrow House will keep a record of all appeals, decisions and recommendations of the Complaints Panel and this record will be kept for one (1) year after the student leaves Harrow House.

#### Monitoring, Evaluation and Review

The Directors will review this policy at least every two years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the school.

### HARROW HOUSE - COMPLAINTS POLICY AND PROCEDURE

#### **Stage One - Informal Resolution**

Complaint or issue raised orally with HH staff,

Is the issue resolved?

NO

YES

No further action

Issue or complaint not resolved, move to stage two

#### **Stage Two - Formal Resolution**

Complaint or issue raised in writing to the Directors

Is the issue resolved?

NO

YES

No further action

Issue or complaint not resolved, move to stage three

#### **Stage Three – Panel Hearing**

Complaint or issue referred to independent Complaints Panel

NO

YES

No further action

The decision reached by the Complaints Panel is final