

# Complaints Policy

Prepared using

- DFE School Complaints Toolkit August 2014
- DFE Best practice guidance for school complaints procedures 2019

## General Principles

Trustees of Steiner Waldorf schools have many legal duties and responsibilities, alongside upholding our founding ideals. We wish to encourage all members of a school community to strive to fulfil their role and responsibilities diligently and capably while upholding the dignity of the human being in all their encounters. Our Complaints Policy and concerns procedure is intended to support our core ideals and to contribute to the continual improvement of the education we provide.

Accordingly, this policy seeks to embody the five fundamental attitudes set out as follows in the SWSF Code of Practice:

**Respect** for the integrity (spiritual essence) of each individual and of the world in general. **Interest in and Positive approach** towards the potential for development in young people in particular and humanity in general. **Recognition of the central importance of lifelong learning.** **Commitment** to the core task of educating children in the light of the above and to encourage, enable and value the **Contribution** of individuals, groups and communities to the improvement of our common heritage.

This document is written in light of these principles. We also take note of the principles contained in the Universal Declaration of Human Rights 1948, in particular, Article 1 of the Universal Declaration:

*'All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.'*

## 1. Principles in Practice:

- Independent schools in England are required by regulation to offer a procedure for complaint as set at the end of this document. This procedure meets these regulatory requirements in full. In addition, this procedure is intended to help sustain a positive ethos within our school so that problems can be listened to appropriately and resolved wherever possible. Our core purpose is to offer high quality Waldorf education for all our children and in order to improve our work, we seek to learn from our mistakes and correct them whenever this is possible. We believe that the education of our children can be most effective when there is close co-operation, mutual trust and respect between all those involved in their upbringing and education.
- In the school we offer the following opportunities for communication: newsletter, class evenings, school surgeries, Whole School Meetings; and encourage all members of the community to contribute to the life of the school through these channels. We also welcome practical suggestions that can help us improve our communication and the way we work.
- Our Concerns and Complaints Procedure aims to deal with issues in a fair and open manner. We intend to respond to questions and criticisms promptly and to do all we can reasonably do to resolve any problems amicably. We are committed to learn from the experiences of members of our community, members of the public or others whether their perception of the school is positive or otherwise.

- This procedure may be supplemented where the issue involves allegations of professional misconduct, criminal offences, including matters covered by our safeguarding/child protection procedure or others that might result in a member of staff facing disciplinary action. In cases of that sort, an urgent investigation will take place and evidence will be gathered as appropriate from all parties. We are obliged in such matters to maintain confidentiality, without which due process, legal procedure and/or natural justice would be compromised.
- We endeavour to take all reasonable steps to resolve complaints via the procedure set out in this document. There may be circumstances where resolution proves to be impossible. On those rare occasions, once all stages of our procedure have been exhausted, the Trustees reserve the right to treat the matter as closed subject only to further steps that may be open to the complainants indicated at the end of this document.

**N.B.** In rare circumstances where the behaviour of the complainant gives reason for it, the Trustees reserve the right to handle a complaint according to its vexatious or habitual complaints procedure (see Appendix 5).

## 2. Concerns

We hope that this procedure will help us to listen to and acknowledge your concerns and to treat you fairly and consistently. We are committed to treating your concerns seriously and to finding solutions that work for you and others involved.

**N.B. This part of the procedure is available to parents, prospective parents, young people aged 16 and over, members of staff or other people affected by the life of the School.**

### Concerns Procedure

If you have a concern about any aspect of the setting, including the EYFS, please speak to the person directly responsible for the subject of your concern. Normally this would be:

- Concerns about teaching or aspects of the education or the EYFS in Kindergarten – your child’s early years’ practitioner, class teacher.
- Concerns about general administrative and financial aspects of the school – the School Business Manager. If for any reason you feel unable to speak directly to the person concerned please contact Chantell Walker the school’s Complaints Manager (CM), who will facilitate a meeting with the member of staff involved. Please email [chantell@theionaschool.org.uk](mailto:chantell@theionaschool.org.uk).
- Members of staff have been asked to record the reason for any concern including 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 and “no further action required”). See Appendix 2. You will be asked to sign the note and this will be filed for review by the CM with the trustee responsible for complaints. It is the CM’s responsibility to follow up concerns and to ensure that agreed further action is implemented. The CM may contact you to check that your concern has been dealt with.
- If concerns remain, the CM at your request, will arrange a further facilitated meeting and/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 CM, the mediators aim to provide a secure, confidential process intended to

assist good communication and 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 and your agreement sought for an extension (e.g. in order to ensure that sufficient time is given to the process of resolution).

### 3. Complaints

If the concern cannot be resolved as above you should raise it as a formal complaint by putting it in writing. Please note we will do everything reasonable to manage your complaint within the timescales set out here. In the interests of accuracy and natural justice, however, the procedure may sometimes take longer. If this happens the CM 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 be kept confidential.

- 3.1 You should put your complaint into writing addressed to the CM and for attention of the Chair of Trustees, who will register that a formal complaint has been received. Please use the Formal Complaint Form (Appendix 3). If you need help in setting out your complaint the CM will assist you in this.
- 3.2 You should receive acknowledgement of a formal complaint within 48 hours and we aim to offer an investigative meeting within 10 working days.
- 3.3 The CM will ensure that a full investigation is carried out into the circumstances of the complaint and once the CM 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.
- 3.4 This process will normally take no more than 15 working days in total.
- 3.5 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.
- 3.6 If you do not agree with the report or recommendations of the CM, you can call for a Review Panel Hearing (see Appendix 4) 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 school's trustee/governance team.

- 3.7 Once appointed, the panel chair will contact you within 48 hours to inform you of the procedure and composition of the panel, this will include:
- the date and time of the hearing - normally within 10 days
  - the process and aim:
    - members of the panel will review the complaint confidentially, with objectivity and without fear or favour.
    - the panel will hear your concerns and may call for the individual(s) against whom the complaint has been made.
    - The role of the panel is to verify whether the school has acted appropriately and to judge whether there is a need to change any of its procedures in the light of this complaint.
  - You have the right to be accompanied to a panel hearing by one other person, who may be a union representative, relative, friend or supportive acquaintance (legal representation will not normally be accepted).
  - 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.
  - The decision of the panel will be final. We offer no further appeal to the decision of a review panel.
- 3.8 The panel will make themselves familiar with the procedure and information relevant to the complaint and convene a panel hearing as soon as possible.
- 3.9 Following the hearing, the Panel Chair will inform you and the subject of the complaint of their decision in writing, within 5 working days.

## 4. Complaints Records

- 4.1 We keep the following records of complaint:
- the complaint will be listed with the date it was first raised
  - the nature of the complaint
  - dates of meetings, communications and those attending them
  - whether the matter was resolved
  - copies of all documentation
- 4.2 Complaint records will be kept confidential and secure except where the secretary of state or a body conducting an inspection under 109 of the 2008 Act requests access to them.
- 4.3 The school complaints record will be made available to school inspectors when they conduct inspections in accordance with the law.

## 5. 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 school.

## 6. Duplicate Complaints

After closing a complaint at the end of the Complaints Procedure, you may receive a duplicate complaint from a spouse, partner, grandparent or child. If the complaint is about the same subject, you can inform the new complainant that the school has already considered that complaint and the local process is complete. You should advise the new complainant to contact the DfE if they are dissatisfied with the school's handling of the original complaint.

Take care not to overlook any new aspects to the complaint that you may not have previously considered. You will need to ensure these are investigated and dealt with to the full extent of the Complaints Procedure.

## 7. Complaint Campaigns

Occasionally, you may become the focus of a campaign and receive large volumes of complaints:

- all based on the same subject
- from complainants unconnected with the school

The CM, who will obtain an overview of the whole picture, collating each complaint until the bigger picture is found, will then investigate key points in line with our standard procedure.

We will send a template response to all complainants and if appropriate publish a single response on the school's website.

We can signpost complainants to the DfE if they're dissatisfied with our response.

## 8. Third Parties

You should make sure that any third party providers have their own Complaints Procedures in place if they are using school premises or facilities to offer:

- community facilities
- services

These must be kept and filed away in their folder.

## 9. Bias in the Proceedings

Complainants are entitled to a fair meeting or review. Persons who have a conflict of interest should not take part in the complaints process, including proceedings of trustee meetings. If there's any reasonable doubt as to a person's ability to act impartially, they should withdraw from considering the complaint. Where a trustee has a financial interest in any related matter, they should also withdraw.

When making decisions, Trustees must not act in a way that is biased. The appearance of bias may be sufficient to taint a decision even if there is no actual bias. This concept derives from the principle that justice must not only be done, but be seen to be done.

Occasionally, complainants contact DfE because they do not believe the school's leadership will consider their complaint impartially.

We generally consider that Trustees with no prior exposure to the complaint are suitably impartial, unless the complainant provides us with evidence to the contrary.

We require complainants to submit evidence of bias if they escalate their complaint to DfE.

## 10. Matters likely to Require a Child Protection Investigation

Complaints about child protection matters should be handled under our Child Protection and Safeguarding policy by a DSL. Refer to your Local Authority Designated Officer (LADO) or the multi-agency safeguarding hub (MASH) for clarity.

## 11. Other Agencies

Ofsted gives advice, available online at which explains the process if you decide to take your complaint to the regulator <https://www.gov.uk/complain-about-school>

If your complaint is about an independent school, you can send your complaint in writing to:

Independent and Boarding Team  
 Department for Education  
 Bishopsgate house  
 Feerhams  
 Darlington  
 DL15QE

Parents of children aged between 1 month and 6 years old attending the early years' department can contact Ofsted direct on 0300 123 1231.

### Issue Date

This policy takes effect from February 2013

### Review Date

This policy will be reviewed and revised by the school manager on a three yearly basis.

### Endorsement

Full endorsement to this policy is given by:

|                  |   |
|------------------|---|
| <b>Name:</b>     | Mr Martin Taylor  |
| <b>Position:</b> | Trustee   |
| <b>Signed:</b>   |  |
| <b>Date:</b>     | 19 <sup>th</sup> November 2019  |

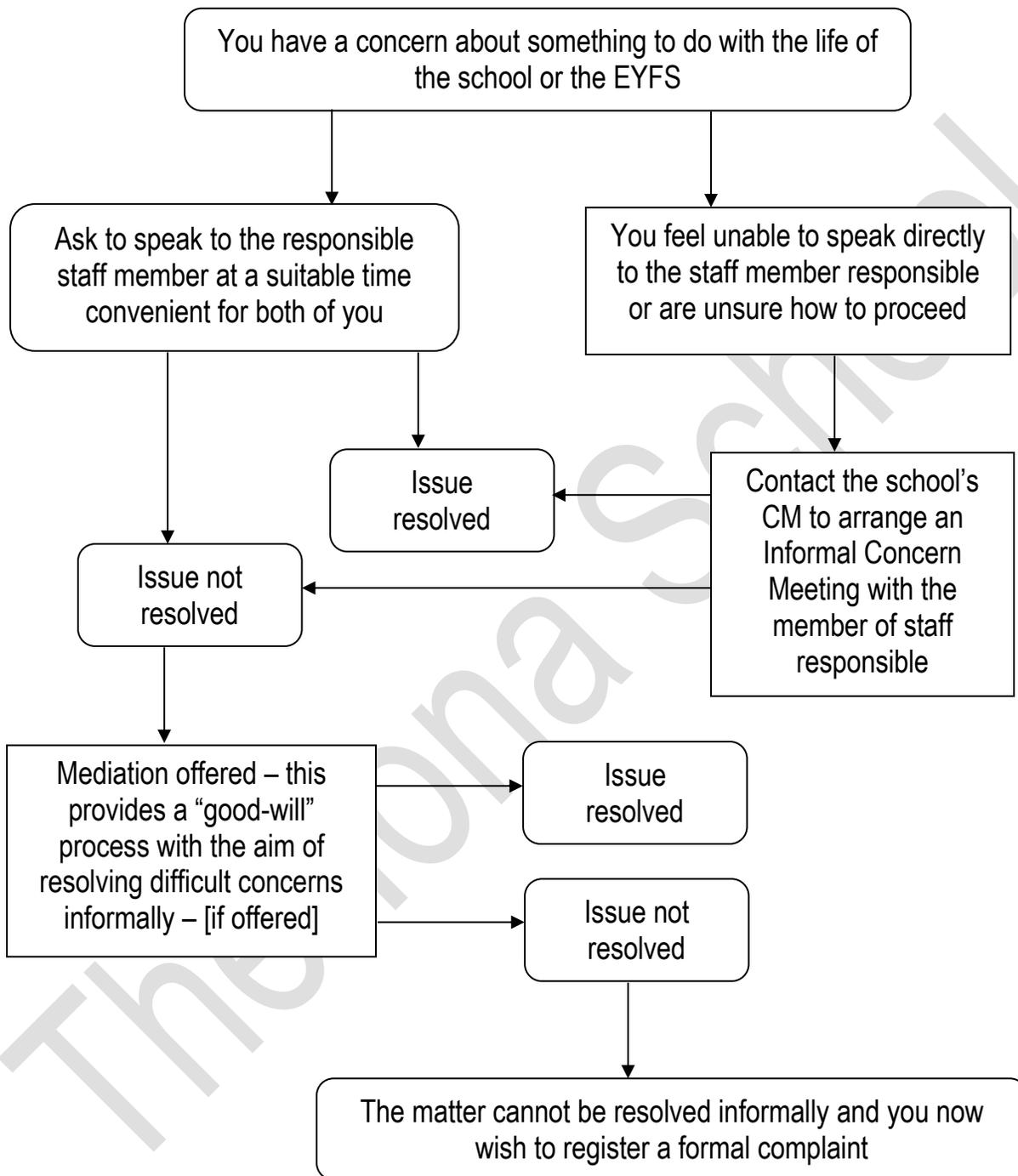
**Related Policies**

- SEND Policy
- AG&T Policy
- Positive Behaviour Policy
- Anti-Bullying Policy
- Inclusion Policy

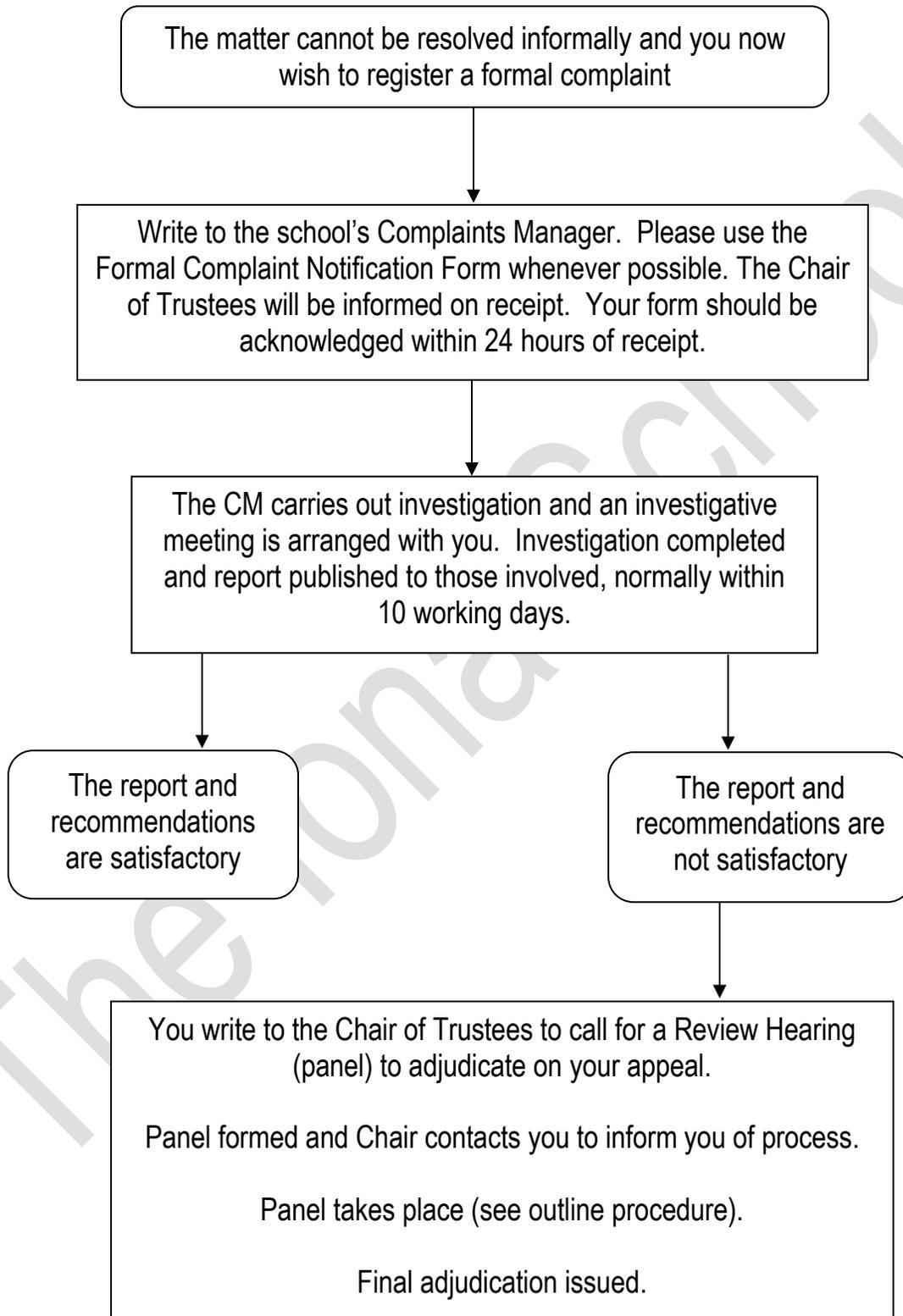
The Iona School

**Appendix 1**

Flowchart – Overview for Concerns and Complaints Procedure – **Informal Concerns**



Flowchart – Overview for Concerns and Complaints Procedure – **Formal Complaint**



**Appendix 2**  
**Concerns Record Form**

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 of Complainant:

Name of Complaints Manager:

Date:

**Appendix 3**  
**Formal Complaint Form**  
(Formal stage of Complaint Procedure)

|   |              |
|---|--------------|
| <b>Your Name and Contact Details:</b>   |              |
| 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?   |              |
| <b>Signed:</b>  | <b>Date:</b> |

***Please return this form to the Complaints Manager, 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.***

## **Appendix 4**

### **Review Panel Hearing – Guidelines for Conduct**

**The Panel Chair conducts the hearing. The Panel Chair is an ‘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 and 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 and 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 and companion, introduces the Review Panel and outlines the process that will be followed.
3. The complainant is asked to explain their objections to the conclusions/recommendations 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 and companion leave the meeting room.
7. The Chair welcomes the member of staff representing the recommendations of the investigation, introduces the Review Panel and 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 and the evidence and 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 48 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.
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 to hear the decision.
14. During summing up, the Chair explains that this is a view of what has been heard. 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.

## **Appendix 4A**

### **Harassment of Staff**

#### **Rationale**

The Iona School as an employer has a legal duty of care to its employees. In addition to this basic requirement, under the Health and Safety regulations the school is required to monitor the wellbeing of all staff as part of the Pastoral Care mandate. Wellbeing includes the physical, emotional, financial and spiritual needs of members of staff.

#### **Staff Stress Levels**

It is known that high workload and general stress levels affect the wellbeing of staff members and subsequently the effectiveness of their work tasks. This can affect the quality of education provided to our children. Staff, therefore, need to be free to direct their will and being into their primary tasks without the distraction or undue stress. In this regard parent educational questions and parent concerns, while important, of necessity should take second place to the educational needs of the children.

#### **Relationship between the Family and the School**

Waldorf Education, to be fully effective, requires a symbiotic relationship between parents (family) and the school and in particular with the staff in the school. This relationship is reflected in many of the school's policies and is also part of the agreement made between the school and the parents at the time of admission when parents join a 'learning community'.

Parents are expected to actively and overtly support the education and, in the event, that something is not clear or understood, or if there is a concern or complaint, follow the procedures outlined and contained in the appropriate policies.

#### **Harassment**

With the above thoughts in mind, harassment in any form is not acceptable. Harassment means any form of intimidation, verbal or otherwise. It also includes instances where confidentiality is not upheld as for instance where parents express concerns inappropriately with each other, or criticise the school or staff in front of children.

#### **Definitions**

Harassment within the context of this policy means misconduct of a physical, verbal or non-verbal nature which is unwanted and personally offensive to the recipient. It includes but is not limited to inappropriate behaviour based on race, ethnic or national origin, gender, sexual orientation, age, religion or disability.

Harassment is any behaviour which causes individuals to feel humiliated, threatened, patronised, bullied, denigrated, distressed or harassed. Action may also be considered as harassment if it disrupts or interferes with another person's work performance.

Some forms of harassment may constitute a criminal offence. In addition, under the law, employees and parents may be personally liable for their actions and required to pay compensation.

It is important to note that harassment is often defined by the way it feels to the recipient, rather than by the intent if the person causing offence. It cannot, therefore be excused or justified by claiming that it was unintentional or humorous.

**Procedures**

All members of the school community are required to follow the prescribed complaints procedures as contained in the school's Complaints Policy.

Where a member of staff feels they have been intimidated by another member of the community (staff or parents) they may make a formal complaint and the complaints procedures will then be followed.

The College of Teachers will always attempt to reconcile differences by mediating between the parties involved, depending on the nature and seriousness of the complaint.

Where a formal complaint is upheld this may result in the person (or persons) being barred from the school for a period of time or permanently. They may also be asked to leave the community. In addition, again depending on the nature of the offence, the police may be involved.

## **Appendix 5**

### **Department for Education Information: How can I make a complaint about an independent school?**

In choosing an independent school for their child parents must accept that any disputes must be pursued directly with the school in the light of any legal advice they receive.

The Department has no powers to investigate complaints on behalf of individuals. However, any allegations of a failure to meet the standards which form the basis for school inspection would be carefully considered and appropriate action taken if necessary, to ensure the school meets the standards which all pupils and their parents have a right to expect. If parents wish to make us aware of such concerns, they should set out the full facts in writing but it will remain the responsibility of the parents to pursue their particular complaint against the school following the above policy

**Please note** concerns relating to welfare or abuse of a child should immediately be reported to the local Social Services Department or police who have powers to investigate and who will be able to offer advice and support parents and their child.

The Iona School, 310 Sneinton Dale, Sneinton, Nottingham NG3 7DN

Tel: 0115 9415295

Email: [Chantell@theionaschool.org.uk](mailto:Chantell@theionaschool.org.uk)