

# ALDENHAM SCHOOL

## COMPLAINTS PROCEDURE FOR PARENTS/GUARDIANS

(Reviewed May 2011)

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### Introduction

The School has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a complaint, they can expect it to be treated by the School in accordance with this Procedure. The School keeps a written record of all complaints and whether they are resolved at an informal stage, or by formal resolution, or by a panel hearing.

### Stage 1 – Informal Resolution

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

#### FOR THE SENIOR SCHOOL

- If parents have a complaint they should normally contact their son or daughter's Tutor. In many cases, the matter will be resolved straightaway, to the parents' satisfaction, by this means. If the Tutor cannot resolve the matter alone, it may be necessary for him or her to consult with a Housemaster/mistress, the Deputy Head or the Headmaster.
- Complaints made directly to a Head of Department, the Deputy Head or the Head will usually be referred to the relevant Tutor unless the Head of Department, the Housemaster, the Deputy Head or the Headmaster deems it appropriate for him/her to deal with the matter personally.
- The Tutor, Housemaster/Mistress, the Deputy Head or the Headmaster (as appropriate) will normally make a written record of all concerns and complaints and the date on which they were received. Should the complaint not be resolved informally to the parents' satisfaction within 10 working days, then the parents may proceed with their complaint in accordance with Stage 2 of this Procedure.

#### FOR THE PREP SCHOOL

- If parents have a complaint they should normally contact their son or daughter's Form Tutor. In many cases, the matter will be resolved straightaway, to the parents' satisfaction, by this means. If the Form Tutor cannot resolve the matter alone, it may be necessary for him or her to consult with a Key Stage Coordinator, the Deputy Head or the Head.
- Complaints made directly to a Key Stage Coordinator, the Deputy Head or the Head will usually be referred to the relevant Form Tutor unless the Key Stage Coordinator, the Deputy Head or the Head deems it appropriate for him/her to deal with the matter personally.
- The Form Tutor, Key Stage Coordinator, the Deputy Head or the Head (as appropriate) will normally make a written record of all concerns and complaints and the date on which they were received. Should the complaint not be resolved informally to the parents' satisfaction

within 10 working days, then the parents may proceed with their complaint in accordance with Stage 2 of this Procedure.

## **Stage 2 – Formal Resolution**

- If the complaint cannot be resolved on an informal basis, the parents should put their complaint in writing to the Headmaster. The Headmaster will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Headmaster will meet or speak to the parents concerned, normally within 7 working days\* of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.  
(\* Please note that working days are Mondays to Fridays in full term time, excluding bank holidays)
- It may be necessary for the Headmaster to carry out further investigations.
- The Headmaster will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Headmaster is satisfied that, so far as is practicable, all of the relevant facts have been established, he will make a decision within 7 working days thereafter and will inform the parents forthwith in writing of his decision (and the reasons for same).
- If parents are still not satisfied with the decision, they may proceed to Stage 3 of this Procedure.

## **Boarder's complaints**

If parents of boarding pupils have complaints or concerns about the welfare of their children at Aldenham it is recommended that in the first instance this is addressed through the channels proposed above. However if this does not achieve a satisfactory resolution, parents and boarders are advised that they may contact Ofsted or the Local Authority Designated Officer directly.

For more information contact:

Ofsted: 0300 123 4666 (compliance investigation and enforcement) or [www.ofsted.gov.uk](http://www.ofsted.gov.uk)

LADO for Hertfordshire: 01992 556936/35 or [hertsscb.proceduresonline.com](http://hertsscb.proceduresonline.com)

## **Stage 3 – Panel Hearing**

### **1. NOTES:**

1.1 For the purposes of this document and where the context admits the following definitions shall apply:

- 1.1.1 "Admission Agreement" The agreement made between the Parent and the School at the time a place for entry to the School was offered to the Pupil, as may have been varied from time to time, and which incorporates the School's terms and condition

1.1.2	"Appeal"	An appeal by the Parent against a decision of the Headmaster
1.1.3	"Appeal Panel"	The panel appointed by the Chairman of Governors for the purpose of determining the Appeal and comprising not less than two members of the Governing Body and one person who is independent of the running of the School. The Chairman of Governors shall nominate one member of the Appeal Panel as its Chairman
1.1.4	"Clerk"	The Clerk to the Governors is appointed to undertake the organisation and arrangements for the Appeal Panel Hearing
1.1.5	"Headmaster"	The Headmaster of Aldenham School
1.1.6	"Headmaster's Response"	The Headmaster's written response to the Notice of Appeal
1.1.7	"Prep School"	The Aldenham Preparatory School
1.1.8	"Prep School Headmaster"	The Headmaster of the Aldenham Preparatory School
1.1.9	"Notice of Appeal"	The Parent's written notice of appeal against the Headmaster's decision
1.1.10	"Parent"	The parent, parents or legal guardian of the Pupil
1.1.11	"Proforma"	A proforma to be completed and submitted as part of the appeal process, available on request or on the parental area of the school website
1.1.12	"Pupil"	A boy or girl receiving education at the school
1.1.13	"School"	Aldenham School and where the context admits includes the Aldenham Prep School which together comprise the Aldenham Foundation
1.1.14	"Working Days"	Mondays to Fridays during full term time, with the exception of Bank Holidays

1.2 The admissibility of an Appeal shall be subject always to the provisions of Paragraph 10.1 of this procedure.

## 2. RIGHT OF APPEAL

A Parent who is dissatisfied with a decision of the Headmaster may exercise a right of appeal in accordance with the provisions of the School's Appeals Procedure. The proceedings of such an appeal will be treated confidentially. (NB Correspondence, statements and records relating

to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 162A of the 2002 Act requests access to them).

### **3. NOTICE OF APPEAL**

3.1. A written Notice of Appeal, together with a completed Proforma must be delivered by the Parent to the Clerk to the Governors (the Clerk) within five working days from the date upon which the decision was communicated or, if later, the date of receipt of the Headmaster's letter confirming the decision. A Notice of Appeal received subsequently will not be considered.

3.2 The Notice of Appeal must:

- a) Set out all the reasons why the Parent considers the decision is wrong;
- b) Include the completed Proforma outlining the grounds for the appeal.
- c) Have attached all documents on which the Parent intends to rely.

3.3 The Clerk shall deliver a copy of the Notice of Appeal to the Headmaster at the earliest opportunity.

3.4 Pending the outcome of any appeal, the Headmaster shall have complete discretion whether to implement or to defer implementation of the decision.

### **4. HEADMASTER'S RESPONSE**

4.1 The Headmaster shall send the Headmaster's Response to the Clerk within 5 working days of his receipt of a copy of the Notice of Appeal. This shall include any and all documents upon which the Headmaster intends to rely. The Clerk shall as soon as practicable convey the Headmaster's Response and documents (if any) to the Parent.

### **5. ORAL HEARING OR WRITTEN DETERMINATION<sup>1</sup>**

5.1 If after receipt of the Headmaster's Response the Parent declines to proceed with the Appeal the Parent shall give written notice to that effect to the Clerk within three days of receipt of a copy of the Headmaster's Response.

### **6. APPOINTMENT OF APPEAL PANEL**

6.1 The Clerk shall, within 3 working days of his receipt of a copy of the Headmaster's Response, ask the Chairman of Governors to appoint the Appeal Panel.

6.2 No member of the Governing Body shall be eligible to serve on the Appeal Panel who has had any previous involvement in the decision.

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<sup>1</sup> Failure to conduct an oral hearing would contravene the standards set down in the 2003 Regulations pursuant to the Education Act 2002. It is therefore the School's policy to conduct an oral Appeal Hearing unless the Parent making the Appeal specifically declines such a hearing in writing.

## **7. PURPOSE OF THE APPEAL HEARING**

7.1 In all cases, the purpose of the Appeal Hearing is to decide whether the complaint has been dealt with appropriately in the circumstances. In the event of it having been dealt with inappropriately, it is within the Appeal Panel's remit to instruct the School to act in a different manner

## **8. HEARING PROCEDURE**

8.1 The Clerk shall give the Headmaster and the Parent not less than 5 days' notice of the date, time and place of the Appeal Hearing.

8.2 In the case of an oral Appeal Hearing there may be circumstances where it is unwise to hold the hearing at the School if this can be avoided. In this case, the Clerk will arrange a more neutral location that is convenient to all parties.

8.3 The procedure that the Appeal Hearing follows shall be at the discretion of the Appeal Panel. Unless the Appeal Panel determines otherwise:

- a) The Appeal Hearing shall be conducted in private and everything said at the Appeal Hearing shall be confidential; at the discretion of the Appeal Panel, the Clerk may tape record the proceedings but save for that record, no other tape recording shall be made. Any tape or other record shall itself be kept confidential save only as the Chairman of the Appeal Panel may direct. Parents are asked to keep their own notes as a record of the proceedings of the Hearing.
- b) The Appeal Panel shall make it clear at the outset that their decision shall be final and shall not be subject to further appeal.
- c) To such extent as may be necessary, the Headmaster shall outline the circumstances of the complaint after which the Parent and the Appeal Panel shall have the right to ask such questions as the Appeal Panel deem appropriate. In the absolute discretion of the Appeal Panel, oral evidence may thereafter be called by the Headmaster with similar provision for questions by the Parent and the Appeal Panel. Save for complaints from the Prep School (when the Prep School Headmaster shall also give evidence) that discretion will only normally be exercised when there is no reasonable and fair alternative method of establishing any disputed facts.
- d) The Parent shall thereafter outline the case on behalf of the Pupil, after which the Headmaster and the Appeal Panel shall have the right to ask such questions as the Appeal Panel deem appropriate. Unless otherwise directed by the Appeal Panel (whether because of the age of the Pupil or otherwise in their absolute discretion), the Pupil will then have the opportunity to speak and will answer such questions from the Parent, the Headmaster and the Appeal Panel as the Appeal Panel deem appropriate. In the discretion of the Appeal Panel for like reasons as in relation to the Headmaster, oral evidence may thereafter be called by the Parent
- e) Relevant new evidence that has come to light subsequent to the decision and that relates to the issues considered when that decision was taken may be admitted.

Such evidence must be sent to all parties in advance of the Appeal Hearing and in sufficient time to allow for its consideration; if that is not done, the Appeal Panel shall have the right to adjourn consideration of the Appeal on such terms as it believes proper. Save as aforesaid or with the permission of the Appeal Panel, neither the Headmaster nor the Parent will be entitled to put before the Appeal Panel any document or witness statement which did not accompany the Notice of Appeal or the Headmaster's Response.

- f) After the conclusion of the evidence, the Headmaster and then the Parent shall have the opportunity finally to address the Appeal Panel.
- g) The Parent and Headmaster each may be accompanied and assisted by another person who must undertake to respect the confidentiality of the Appeal Hearing but who, save with the permission of the Appeal Panel, shall not have the right to address the Appeal Panel;
- h) The Clerk may advise the School prior to the Appeal Hearing but after commencement of the Appeal Hearing he shall take no part in the Appeal save that he shall minute the decision of the Appeal Panel.
- i) The Appeal Panel may take any decision by a majority.

## **9 DELIVERY OF THE APPEAL DECISION**

9.1 The Appeal Panel's decision shall be final and shall not be subject to further appeal. As soon as is practicable after the Appeal Hearing, the Clerk shall write to the Parent, with a copy to the Headmaster, setting out the Appeal Panel's reasoned decision. A copy of those findings and recommendations will be sent by electronic mail or otherwise to the complainant and, where relevant, the person complained about.

## **10 PRELIMINARY MATTERS**

10.1 No appeal relating to a complaint shall be entertained if any fees or other sums payable to the School under the Admission Agreement are in arrears.

10.2 Any dispute as to the date, time or place of the Appeal Hearing or in relation to any other matter touching the Appeal Hearing in advance of it taking place shall be decided by the Chairman of the Appeal Panel following written representations from the Headmaster and the Parent.

## **11 TIME LIMITS**

11.1 Save in relation to the giving of Notice of Appeal pursuant to paragraph 2 of this procedure, the Chairman of the Appeal Panel shall have the power to extend the time within which any step shall be taken.

11.2 Notices or documents sent by first class post shall for the purposes of this Appeal Procedure be assumed to be received by the addressee on the day after posting, ignoring for this purpose Saturdays, Sundays and statutory holidays.

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Headmaster  
January 2011  
Reviewed May 2011

Date for Review – January 2013