

St Paul's Steiner School: Complaints Policy

1. General Principles:

Our Complaints Procedure is intended to support our core ideals and to contribute to the continual improvement of the education we provide.

2. Principles in practice¹:

Independent schools in England are required by paragraph 25 of The Education (Independent School Standards) (England) Regulations 2014 to offer a procedure for complaints. 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.

- 2.1 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.
- 2.2 We offer the following opportunities for communication and encourage all members of the community to contribute to the life of the school through these channels: the newsletter, class evenings, school surgeries, and All School Meetings. We also welcome practical suggestions that can help us improve our communication and the way we work.
- 2.3 Our 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.
- 2.4 This procedure may be supplemented where the complaint involves allegations of professional misconduct or criminal offences (including matters covered by our child protection policy) 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.
- 2.5 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 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.

In rare circumstances justified by the behaviour of the complainant, the Trustees reserve the right to handle a complaint according to their Vexatious or Habitual Complaints procedure²

3. Concerns

¹ See Form A1, appended to this policy, for an overview flow chart of the complaints procedure

² Set out in Form A5, appended to this policy

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

- 3.1** If you have a concern about any aspect of the School, 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 – your child's early years' practitioner, class teacher.
 - Concerns about general administrative and financial aspects of the School – the School Bursar.
 - If for any reason you feel unable to speak directly to the person concerned please contact the School Administration Manager, Tamara Allen (schooloffice@stpaulssteinerschool.org³) who will facilitate a meeting with the member of staff involved. If for any reason you are unable to speak to the Administration Manager please contact the Bursar, Helen Smither on hsm@stpaulssteinerschool.org.
 - Your concern should be acknowledged within 1 working day.
- 3.2** Members of staff have been asked to record⁴ the reason for any concern as well as next steps that may be identified during the conversation. Where this is agreed to be unnecessary, the note will state the nature of the concern and "no further action required". You will be asked to sign the note and this will be filed for review by the school Administration Manager and the Trustees. It is the Administration Manager's responsibility to follow-up concerns and to ensure that agreed further action is implemented. The Administration Manager may contact you to check that your concern has been dealt with.
- 3.3** If concerns remain, the Administration Manager, at your request, will arrange a further facilitated informal concern meeting and/or meeting with a neutral note-taker to help explore your concern informally.
- 3.4** If your concern is complex, or cannot be resolved in this way, we offer the services of independent mediators. Working in consultation with the school, 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.
- 3.5** 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.
- 3.6** While we would not wish to put a fixed timescale to matters of concern, 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 any extension.

³ For the sake of clarity, the Administration Manager is the only member of staff who has access to this mailbox.

⁴ See Form A2 for Concerns Record Form

4. Complaints

It is our aim to deal with any issues that may arise through our concern procedure. However, if a matter cannot be resolved informally it should be raised as a formal complaint according to this section. The procedure set out in this section should be used immediately if the issue is one of grave seriousness (e.g. a question of serious abuse of any sort).

We will do everything reasonable to manage your complaint within the timescales set out here. However, in the interests of accuracy and justice, the procedure may sometimes take longer. If this happens the Administration Manager will contact you in order to discuss an extended timescale.

Formal complaints will be registered for the purposes of inspection. General information will be provided to school inspectors when they visit. Your details however will be kept confidential.

- 4.1 You should put your complaint into writing addressed to the Administration Manager, Tamara Allen (schooloffice@stpaulssteinerschool.org) and for attention of the Chair of Trustees, who will register that a formal complaint has been received (Trustees will not be involved with handling the complaint at this stage). Please use the Formal Complaint form⁵, where possible. If you need help in setting out your complaint the Administration Manager will assist you in this.
- 4.2 You should receive acknowledgement of a formal complaint within 2 working days and we will offer an investigative meeting.
- 4.3 The relevant school management group⁶ will ensure that a full investigation is carried out into the circumstances of the complaint and, once satisfied that all the relevant facts have been established, you will be informed in writing of their judgement within 15 working days. All parties will receive copies of the relevant documents.
- 4.4 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.
- 4.5 If you do not agree with the report or recommendations of the school, you can call for a **Review Panel Hearing**⁷ by writing directly to the Chair of Trustees. The Trustees will then appoint a Panel. Normally two members of the Panel will be Trustees who have not been involved in handling the complaint. The third member of the Panel will be a suitably qualified person independent of the management and running of the school. The appointment of the Panel is the responsibility of the School's Trustees.
- 4.6 Once appointed, the Panel Chair will contact you within 2 working days to inform you of the procedure and composition of the Panel, including –
 - the date and time of the hearing;
 - the role of the Panel at the hearing, which is as follows –

⁵ See Form A3 appended to this policy.

⁶ The Safeguarding Team will deal with Safeguarding Complaints, the HR Team will deal with HR complaints. All other complaints will be dealt with by the Leadership Group.

⁷ The review panel procedure is set out in form A4

- members of the Panel will review the complaint confidentially, without bias;
 - the Panel will hear your concerns and may call for evidence from 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.
- that you have the right to be accompanied to a panel hearing by one other person, who may be a relative, friend or supportive acquaintance (legal representation will not normally be accepted).
 - that if you want to supply any further information you should do so within 7 days of the date of the panel hearing. Any new information supplied after this time may result in a delay of a final decision or the need to reconvene the meeting at a later date.
 - that the decision of the Panel will be final. The school offers no further appeal from the decision of a Review Panel.
- 4.7** The Panel will make themselves familiar with the information relevant to the complaint and convene a Panel Hearing as soon as possible, normally within 10 working days. The Hearing will be conducted in accordance with the guidelines set out in Form A4, appended to this Policy.
- 4.8** Following the hearing, the Panel Chair will inform you and the subject of the complaint of their decision in writing, normally within 5 working days.
- 4.9** The same procedure applies where the complaint is of a more general nature, e.g. about some aspect of the operation of the School.

5. Complaints Records

- 5.1** In accordance with sub-paragraph 25(j) of the Education (Independent School Standards) (England) Regulations 2014, the school keeps the following written records of complaints, whether they are resolved at the preliminary stage or proceed to a panel hearing:
- 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
- 5.2** Complaint records will be kept confidential and secure
- 5.3** The school will publish the number of complaints dealt with each year, as required by regulation. This record will be made available to school inspectors when they conduct inspections in accordance with the law

6. Non-Parental complaints

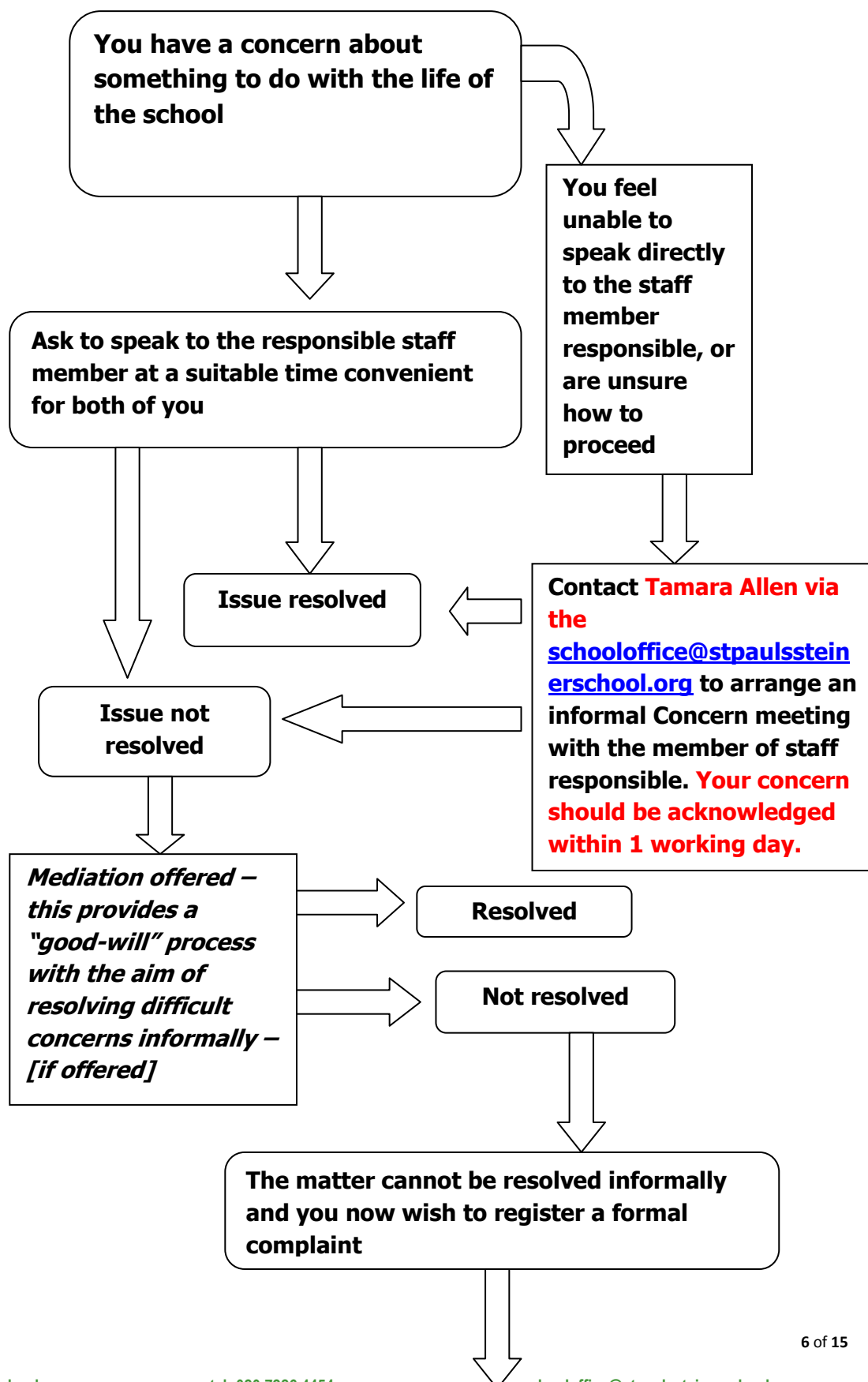
At the discretion of the Trustees, this procedure will also be used in an adapted form, as appropriate, for concerns or complaints from neighbours or members of the general public affected by some aspect of the operation of the school.

7. Other agencies

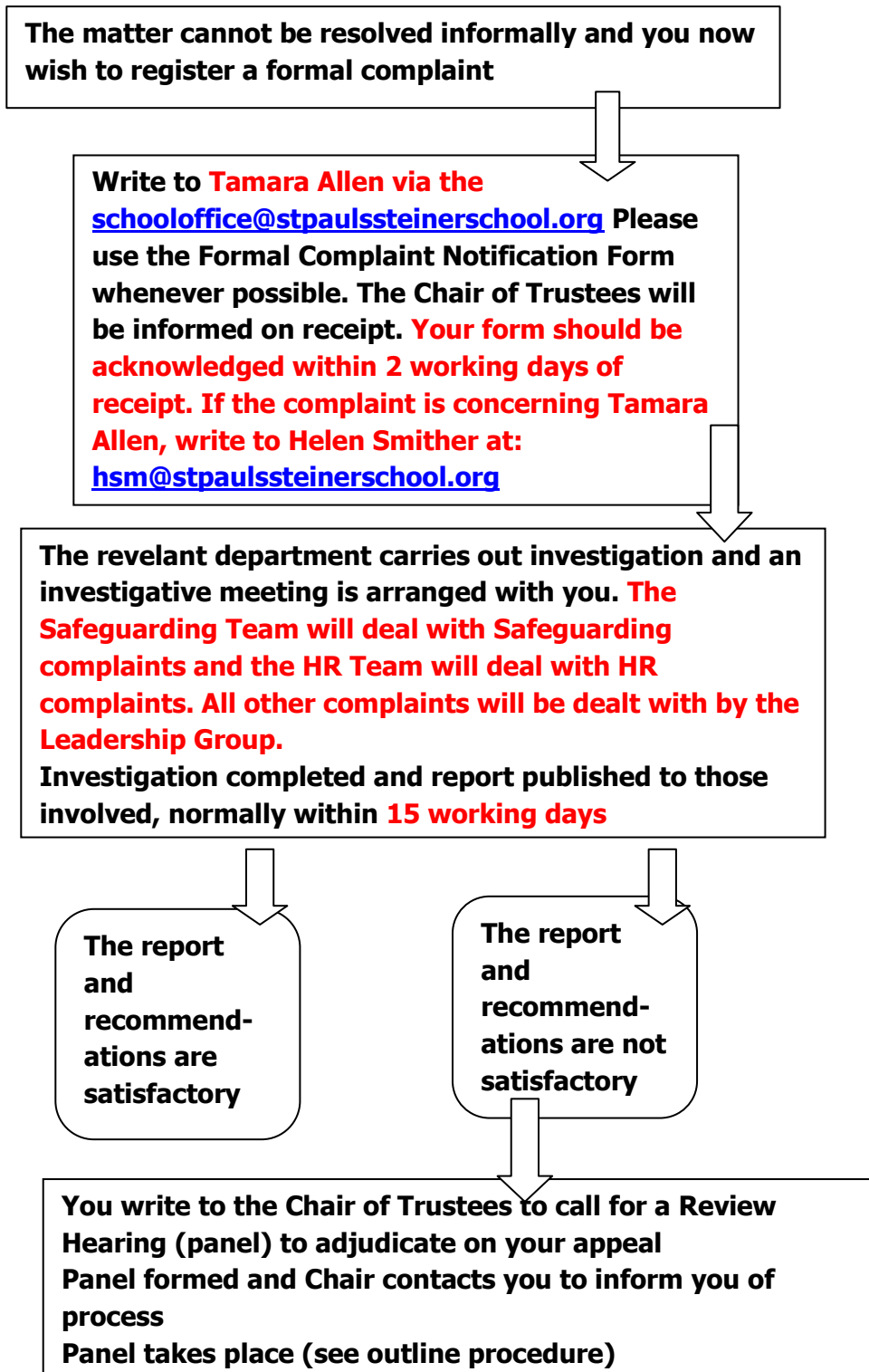
The Department for Education process for dealing with complaints can be found at:
<https://www.gov.uk/complain-about-school/private-schools>.

- 7.1 Parents of children aged between 3 and 6 years old attending the early years' department can contact Ofsted direct on 0300 1234666.

Flowchart – Overview for Concerns and Complaints Procedure
Informal Concerns:



Flowchart – Overview for Concerns and Complaints Procedure Formal Complaint:



Form A3

Formal Complaint Notification
(Formal stage of Complaint Procedure)

Your name and contact details: _____

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?

Signed:

Date:

Please return this form to the school's Administration 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.

Form A4

Review Hearing – Guidelines for Conduct

The Panel Chair is responsible for the conduct of the hearing. Normally the Panel Chair would be the “independent” panel member. The following notes provide a general overview of the way a hearing will normally be conducted:

The Panel Chair will ensure that the proceedings are accurately recorded.

Normally, new information, witnesses or other evidence should be made available at least 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 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 3 working days, 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 either to -
 - hear a brief summing up from the panel, or
 - be told of the decision to reserve judgement
 - be told that the panel, having been unable make a decision, will dissolve with a new panel to be convened at the earliest possible opportunity
14. If there is to be a summing up, the panel Chair should explain that he will give its view of what they have heard, that this is not an opportunity for either party to argue the matter further, however, 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

Form A5

HABITUAL OR VEXATIOUS COMPLAINANTS POLICY

1. Introduction

- 1.1 This policy applies to all complainants and applies to situations where a complainant, either individually or as part of a group, is considered to be acting as an 'habitual or vexatious' complainant.
- 1.2 In this policy the term 'habitual' means 'done constantly or as a habit' and 'vexatious' is recognised in law and means 'denoting an action or the bringer of an action that is brought without sufficient grounds for winning, purely to cause annoyance to the defendant'.
- 1.3 The term complaint in this policy includes requests made under the General Data Protection Regulation, and the Environmental Information Regulations 2004.
- 1.4 Habitual and / or vexatious complainants can be a problem for School staff and Trustees. The difficulty in handling such complaints can place a strain on time and resources. While the School endeavours to respond with positivity, patience and sympathy to the needs of all complainants there are times when there is nothing further that can reasonably be done to assist or to rectify a real or perceived problem

2. Scope of Policy

- 2.1 This policy should be used after all reasonable measures have been taken to try to resolve complaints under the School's Complaints Policy. However it is not necessary for a complaint to have been the subject of a Review Panel Hearing before this policy can be invoked.
- 2.2 The policy should only be invoked following careful consideration of all the issues by the appropriate school management group, Chair of College (senior teacher) and School Administrator and if authorisation has been provided by the Chair of Trustees. If the complaint is directed principally or to a significant degree against the Chair of Trustees then authorisation will be from a 3-person panel as for a Review Panel Hearing
- 2.3 No individual who is the subject of a complaint may authorise that complaint to be handled under this policy

3. Definition of Habitual or Vexatious Complainant.

- 3.1 Each case will be considered individually and decided on its merits. However, a complainant (and/or their representative) may be deemed to be habitual or vexatious if contact with them shows that they may meet any or all of the criteria set out in 3.2 to a significant degree.
- 3.2 Application of this policy may be merited where complainants:
 - Persist in pursuing a complaint where the school's complaints procedure has been fully and properly implemented and exhausted;
 - Change the substance of a complaint, continually raise new issues, or raise further concerns or questions upon receipt of a response. The school will take care not to discard new issues that are significantly different from the original complaints and which may need to be addressed as separate complaints;

- Are unwilling to accept documented evidence of action;
- Are unwilling to accept that the Trustees have reached a final decision on a chosen course of action;
- Deny receiving an adequate response in spite of correspondence specifically dealing with the issues raised;
- Do not clearly identify the issues which they wish to be investigated, despite reasonable efforts to help them specify their concerns;
- Continue to pursue a complaint where the concerns are not within the control of the school or its trustees;
- Focus on trivial matters to an extent which it is out of proportion to their significance (we recognise that what is a 'trivial' matter is a highly subjective judgement and will exercise care in applying this criterion);
- Have, in the course of addressing a complaint, had an excessive number of contacts with the school representatives placing unreasonable demands on staff time. A contact may be in person or by telephone, letter, e-mail or fax. (Discretion will be used in determining how many contacts is excessive, according to the specific circumstances of each individual case);
- Make repeated counter-complaints against those dealing with the issue, especially with the clear intention of influencing the outcome of the procedure;
- Are known to have recorded meetings or face-to-face / telephone conversations without the prior knowledge and consent of other parties involved;
- Have threatened or used physical violence towards staff at any time. This will cause personal contact with the complainant and/or their representatives to be discontinued and the complaint will, thereafter, only be continued through written communication. All such incidences will be documented. The school will consider any complainant who make threats or uses actual physical violence towards staff as a vexatious complainant.
- Have harassed or been personally abusive or verbally aggressive on more than one occasion towards staff dealing with the complaint. We recognise that complainants may be sometimes act out of character in times of stress, anxiety or distress and will make reasonable allowances for this. However, the Trustees have a duty of care to their employees and reserve the right to take whatever action is deemed necessary to secure their reasonable safety. Any form of harassment, abusive behaviour or verbal aggression will be documented and legal action may be taken

4. Strategy for Dealing with Habitual or Vexatious Complainants

- 4.1 Where complainants have been identified as habitual or vexatious within the scope of this policy, the Trustees will determine what action to take. The CM or Administrator will implement such action and will notify complainants, in writing, of the reasons why they have been classified as habitual or vexatious and what action will be taken. They will also be notified of the review procedure (See Section 5 below)
- 4.2 This notification may be copied for the information of others already involved in the complaint or with matters closely related to it. A record must be kept of the reasons why a complainant has been classified as habitual or vexatious.
- 4.3 It may be decided to decide to deal with habitual or vexatious complainants in one or more of the following ways:

- Withdrawal of contact with the complainant either in person, by telephone, by e-mail, by fax, by letter or any combination of these, provided that at least one form of contact is maintained;
- Restricting contact to liaison through a designated person;
- Notifying the complainant in writing that the Trustees have responded fully to the points raised and have tried to resolve the complaint but there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant should be notified that

any form of contact, either orally or in writing, in relation to their complaint, or any further complaints relating to the same period of time, or the same or similar issues as an earlier complaint, is at an end, and that further contact received will be acknowledged but not answered;

- Temporarily suspend, or terminate, the contract between the individual and the school;
- Where merited, inform the complainant that the school intends to take legal action.

5. Reviewing Decisions and Withdrawing 'Habitual or Vexatious' Status

- 5.1 Once a complainant has been determined to be habitual or vexatious, such status will be regularly reviewed and, where appropriate, withdrawn at a later date. Such action may be appropriate where a complainant subsequently demonstrates a more reasonable approach or submits a further complaint for which the normal complaints procedures would appear appropriate.
- 5.2 The Trustees will review their decision to categorise a complainant as habitual or vexatious at least every six months. In addition, they will review that decision on receipt of a request to do so from the person so categorised, provided such a request has not been received in the preceding six months
- 5.3 If the person categorised as habitual or vexatious is not satisfied with the decision reached he may request that the decision is reviewed by the Trustees, who will appoint an appeal panel of 3 to review the decision (as for a Complaints Panel Review Hearing). Such a request for a review may only be received once in any six-month period. Notice of that decision will be given, as far as is practical, within 15 working days of receipt of the request.
- 5.4 On review, the panel may either withdraw the categorisation of a person as habitual or vexatious, amend the strategy being applied to that person or maintain the strategy currently applied to the complainant;
- 5.5 If they consider it appropriate to withdraw the status of habitual or vexatious complainant, normal contact with the complainant and application of the school's complaints procedure will be resumed. Notice of that decision will be given.
- 5.6 Copies of all decisions relating to the categorisation of a person as a habitual or vexatious complainant will be sent to the school Administration Manger, who will hold and maintain a central register of such decisions.

6. Monitoring Arrangements

- 6.1 Anonymised information will be presented annually to the Trustees with details of complainants who are categorised as habitual and/or vexatious

7. General

7.1 Nothing in this policy affects an individual's statutory rights.

7.2 If Trustees are approached by individuals identified as habitual/vexatious complainants they may, if they so wish, ask officers to write to those individuals on their behalf, to explain that the Trustees will not be able to deal with the particular issue whilst they continue to be a vexatious/habitual complainant