

# Complaints Policy

This policy applies to:

1. BCAA Whole College

Policy owner:	Oliver Bromley Hall
Frequency of review:	At least annually
Dates of previous review:	August 2021
<b>Date of current review:</b>	August 2022
Date of next formal review:	August 2023
Linked policies/documents:	Bloom Staff Handbook, Code of Conduct, Safeguarding Policy, Feedback & Marking Policy, Curriculum Policy, Assessment Policy
Comments:	

## Introduction

The College has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents or staff do have a complaint, they can expect it to be treated by the College in accordance with this Procedure. Parents and staff can be assured that all concerns and complaints will be treated seriously and confidentially.

For the purposes of this document “complaint” means any matter about which a parent of a pupil or member of staff is unhappy and seeks action by the College.

## Documentation and Record-keeping

A copy of this procedure can be found on the College’s website and is available to parents, pupils and staff. The College will ensure that parents of pupils and of prospective pupils who request it are made aware that this document is published or available and the form in which it is published or available.

Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required by the police, ADEK, or where disclosure is required under other legal authority.

The College maintains a record of all parent complaints for at least three years for regular review by senior management and for inspection by inspectors. The record states whether the complaint was resolved at the preliminary stages or proceeded to a panel hearing and will state the action taken as a result of the complaint (regardless of whether the complaint was upheld).

## Complaints by EYFS Parents

The College must investigate a written complaint relating to its fulfilment of the EYFS requirements and notify complainants of the outcome of the investigation within 28 days of having received the complaint. The time limits specified in Part B of the Procedure (below) shall be adapted by the College in relation to such a complaint in order to comply with this requirement.

Parents of children in the EYFS (Early Years Foundation Stage) may complain to ADEK or MOE, if they are not satisfied with the outcome of their complaint.

## Complaints by Past and Prospective Parents

This procedure applies to complaints by past parents provided the complaint was initially raised by them when the pupil was still registered as a pupil at the College.

This procedure does not apply to complaints by prospective parents.

## Complaints made by Staff

This procedure applies to complaints made by staff at BCAA against other members of staff.

## PART A - INFORMAL RESOLUTION

It is hoped that most complaints and concerns will be resolved quickly (within 14 days) and informally.

If a parent of any pupil has a complaint they ("the complainant") should contact one of the following in the first instance:

- The pupil's House Tutor, or in the case of a child in EYFS and JS, their class teacher/key person),
- the pupil's Head of Year
- the pupil's House Mistress or Master
- the pupil's Head of school (ie the Head of Junior, Head of School)

The House Tutor, HMM, Head of Year, Head of School (as applicable) will make a written record of all concerns and complaints and the date on which they were received. If the matter is not resolved to the complainant's satisfaction, they will be advised to proceed with their complaint in accordance with Part B of this procedure (see below).

If a member of staff has a complaint, they should refer directly to their direct Line Manager as soon as possible after the offending incident.

## PART B – FORMAL RESOLUTION

### **Stage 1: A letter to the Head Master**

- (a) If the matter is not resolved to the complainant's satisfaction by the informal process, the complainant may invoke the formal part of this Complaints Procedure. They should do this by writing to the Head Master giving details of their complaint and the outcome they are seeking.
- (b) The Head Master will then either take the case forward himself or appoint a senior colleague who has had no prior involvement in the matter to do so.
- (c) The Head Master or (where applicable) the senior colleague appointed by the Master will offer to meet with the complainant to discuss the matter, normally within seven working days.
- (d) The complainant will be given an estimate of the time that is likely to be required to complete any necessary investigation, normally not more than five working days. If more time is required (e.g. if the complaint is made during school holidays and relevant staff are away), this would be discussed with the complainant.

- (e) Written notes will be kept of all material meetings and interviews held in relation to the complaint.
- (f) The complainant will be notified in writing of the decision reached at Stage 1.

*Note: If the Head Master handles the matter at Stage 1 (rather than appointing a senior colleague to do so) and the complainant is not satisfied with the Head Master's decision in respect of their complaint, the complainant should then go straight to Stage 3 of this Procedure. Parents are within their rights to complain directly to ADEK, if they feel this is necessary.*

## Stage 2 – Appeal to the Head Master

- (a) If the Head Master appoints a senior colleague to investigate the complaint at Stage 1 and the complainant is not satisfied with that person's decision in respect of their complaint, the complainant should appeal to the Head Master in writing within five working days after receiving the decision.
- (b) The Head Master will offer to meet with the complainant to discuss the matter, normally within seven working days. If more time is required (e.g. if the complaint is made during school holidays and the Master or relevant staff are away), this would be discussed with the complainant.
- (c) Once the Head Master is satisfied that all the relevant facts have been established, he will inform the complainant of his decision in writing, within five working days of meeting with the complainant. The Head Master will give reasons for his decision.

## Stage 3 - Appeal to the Board of Governors

- (a) If the complainant is not satisfied with the Head Master's decision, they should send written notice of their complaint to the COO Mr Craig Lamshed and CEO, Mrs Nilay Ozral, within five working days after receiving the Head Master's decision. When doing so, the complainant should: (i) give reasonable particulars of their complaint; and (ii) specify the outcome they are seeking.
- (b) The matter will then be referred to a Complaints Panel for consideration. The PA to the CEO will schedule a hearing to take place within 20 working days of receipt of the complaint.
- (c) Where a complaint that reaches Stage 3 is brought by one parent only, the College will (save in exceptional circumstances) keep informed and invite to attend the Panel hearing any other adult who

entered into the contract with the College for the education of the relevant pupil. The College also reserves the right to keep informed and invite to attend the Panel hearing any other adult whom the College believes to have parental responsibility for the relevant pupil.

- (d) The Panel will consist of at least three persons who have not been directly involved in the matter detailed in the complaint. At least one member of the Panel shall be independent of the management and running of the College. Each of the Panel members shall be appointed by the CEO or (in her absence) the Vice-Chair of the Governors of Brighton College Al Ain, who shall also nominate one member of the Panel to chair the Panel.
- (e) In the case of a complaint regarding a pupil's suspension or exclusion, the Head Master shall have complete discretion as to whether to implement the suspension or exclusion of the pupil pending the Panel's decision.
- (f) Within 3 working days after notifying their complaint to the PA of the CEO, in accordance with paragraph (a) above, the complainant shall send the PA copies of all documentation on which they intend to rely at the hearing.
- (g) The complainant shall produce (within five working days of the PA's request) any such further information and documentation that the PA reasonably considers the Panel may require in order to make an informed decision about the complaint.
- (h) At least 3 working days before the hearing, the Head Master shall submit to the Panel a written statement setting out his views in relation to the complaint. The PA shall give a copy of the Head Master's statement to the complainant.
- (i) The Panel may conduct or request that the CEO conducts such interviews before the hearing as the Panel sees fit.
- (j) The complainant shall (on request) be provided with a copy of relevant documentation (iSAMS, CPOMS, etc.) for their child.
- (k) If the CEO shall so decide, the hearing may take place at a location outside the College.
- (l) The complainant may be accompanied at the hearing by one other person who is over the age

of 18 and not a pupil at the College. This may be a relative, teacher or friend. It will not normally be appropriate for the complainant to be legally represented at the hearing and legal representation requires the prior approval of the CEO.

- (m) If possible, the Panel will resolve the complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.
- (n) If the CEO shall so decide, the hearing may be recorded by a recording device or transcribed by a stenographer.
- (o) If the CEO reasonably believes that the Panel should hear evidence from an individual in private (i.e. in the absence of the person bringing the complaint or any third party), he/she may so decide. In those circumstances, the complainant will be given reasons for that decision. The complainant will be given a summary of the individual's relevant evidence after the event if the CoG and/or CEO believes the evidence to be relevant to the complaint. The Panel may withhold the identity of a pupil who gives evidence in private to the Panel.
- (p) The Panel may make decisions by majority vote.
- (q) The Panel's findings and recommendations in relation to the complaint shall be documented in the form of a report.
- (r) Within five working days after the hearing, the PA to the CEO will send the complainant and the Head Master a copy of the Panel's draft report. If the Panel's decision was reached by majority vote and there was a dissenting minority, the dissenting views shall be briefly summarised in the report.
- (s) If the complainant believes that the report is not factually accurate, the complainant shall inform the CEO in writing within five working days thereafter, giving details of the alleged inaccuracies. If the Head Master believes that the report is not factually accurate, he shall likewise inform the PA to the CEO in writing within five working days thereafter, giving details of the alleged inaccuracies.
- (t) The Panel shall then finalise its report. A copy of the Panel's report will be: (i) sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about; and (ii) available for inspection on College premises by the Governors and the Head Master.

- (u) Subject to the rules set out in this document, the Panel may regulate their proceedings as they see fit.
- (v) For the purposes of this procedure “working day” means a day which is not a Saturday, a Sunday or a bank holiday in the UAE.