

## VISION

To create an outstanding British international school which empowers all students to embrace learning, achieve their best, and promote their intellectual, emotional, social and physical wellbeing.



PEARLING SEASON INTERNATIONAL

## Complaints Policy

To create a community of learning within a safe, secure and happy environment where our children are motivated, challenged and supported in all they do. Our passion for learning and teaching will inspire our students, as will our warmth, humanity and transparency. Student achievement will be limitless, and they will leave with the confidence and capability that will equip them for every facet of adult life as a global citizen.

MISSION

Policy Date: December 2020  
Revised: Mr Ahmed Al-Talib / Mr Clive Shepherd  
Review Date: May 2021  
Person Responsible:



## **1. Introduction**

All Schools are legally required to have a procedure in place to deal with complaints. Pearlring Season International School has approved the following procedure which explains what you should do if you have concerns or wish to make a complaint and how your complaint will be dealt with. The school intends for all concerns or complaints to be dealt with:

- fairly
- openly
- promptly

This procedure applies to all concerns or complaints, except for those which relate to:

- School Admissions;
- Statutory Assessments of Special Educational Needs(ALN);
- Child Protection and Safeguarding procedures;
- Pupil exclusions;
- Staff grievances, capability or disciplinary procedures;
- Complaints about services provided from the School's premises by other organisations;
- Whistleblowing; or
- Subject Access Requests and Freedom of Information Requests.

You can access policies relating to the above matters from the School.

## **2. Making a complaint**

We expect that all complaints dealt with under this procedure will begin at stage 1 (outlined below).

In the first instance, the complaint should normally be directed to a relevant teacher, middle or senior leader, however:

- If the complaint is about a Headteacher, it should be directed to the Chief Executive Officer (CEO).
- If the complaint is about the CEO, it should be directed to the School Owner.

Complaints should be made as soon as possible after a specific incident. If a complaint relates to an incident over three months prior then the School reserve the right not to consider this.

Complaints can be made in person, by telephone, in writing by mail, or email. You may find it helpful to utilise the complaints form in appendix A to this procedure in order to set out your complaint clearly. If you do not use the form in appendix A then please ensure you provide all of the information requested in this form in order that your complaint can be considered robustly.

### **3. Complaints procedure**

#### **3.1 Stage 1 - Informal**

It is in everyone's interest that concerns are resolved at the earliest possible stage, before they become formal complaints. Many issues can be resolved informally, without the need to invoke formal procedures.

The School requires anyone who has a concern to address it informally by contacting the relevant teacher, middle or senior leader in the first instance (except in the cases outlined in 2, above). We hope that they will either be able to address the concern at that time, or they will be able to arrange to discuss it further at a mutually convenient time.

If your complaint is received in writing, it will be acknowledged within five working days (i.e. days which are not weekends, government holidays, or do not fall in the school holidays).

A record of discussion at the informal stage will be kept should it be required during later stages of the complaints procedure.

Any inference that the School could have handled things better that is made at this stage of a complaint will not be taken as an admission of negligent or unlawful action.

The outcome of any complaint dealt with at stage 1 of this procedure will be communicated to you in writing and include details of what to do next if you are unsatisfied with the outcome.

#### **3.2 Stage 2 - Formal**

Only in exceptional circumstances will a complaint progress to stage 2 if stage 1 has not been exhausted.

If you want to make a formal complaint you must submit this in writing. If this is not possible, please contact the HR Manager to explain the reasons why. Communication should be received within five working days of the communication of the outcome of stage 1.

Receipt of the submitted complaint form will be acknowledged in writing within five working days and will confirm the name of the person who will investigate your complaint.

#### *Investigating the complaint*

The investigation will be thorough and seek to establish all of the evidence in relation to your complaint.

As part of their investigation, the person investigating your complaint may contact you, and any other person that they consider necessary, in order to consider the issues raised in the complaint.

The person investigating your complaint will also review any documentation provided in support of your complaint, and will review any other documentation that they consider relevant.

It may be necessary for the person investigating to request further information or documents from you, or from others, before the investigation can continue.

Note of any communication, interviews and evidence will be held should it be required at a later stage of this procedure.

After considering the available evidence, the person who investigated your complaint will decide either that:

- 1) the complaint is upheld; or
- 2) the complaint is not upheld; or
- 3) the complaint is partially upheld.

If a complaint is upheld or partially upheld, the person who investigated your complaint will decide upon the action they recommend the School should take to resolve the upheld complaint or the upheld part of the complaint. Details of these actions may or may not be shared with you.

You will receive either an update or notification of the decision and an explanation of the reasons for it in writing within ten working days of the date of the letter which acknowledged receipt of your complaint form. In exceptional circumstances, where the complaint is particularly complex, further documentation is sought, or a large number of people need to be interviewed, the resolution of stage 2 may take longer than this. You will be informed of any revised timescales if this is the case.

You will be notified of the outcome of stage 2 complaints in writing. The written notification will also explain how you can progress to stage 3 of the complaints procedure if you are dissatisfied with the response.

### **3.3 Stage 3 – Panel review and hearing**

If you are dissatisfied with the decision made, then you can ask for a panel to review it within ten working days of communication of the outcome of stage 2. You should make this request in writing by using the review form at Appendix B and submit it to the Chief Executive Officer (CEO) of Pearling Season International School. If you need assistance to complete the form, please contact the HR Manager.

The CEO will firstly assure themselves that all possible avenues of resolution at stages 1 and 2 have been explored and the procedure properly adhered to. If the CEO is not satisfied, then they may propose an informal resolution to you. If you are happy with this resolution then the complaint may be closed, withdrawn or revert back to an earlier stage of the process. Any agreement will be documented in writing and you will receive a copy of this. If there is no agreement, then the following process will take place:

A complaints panel will be created consisting of three people. None of the panel members will have had any prior involvement with the complaint and at least one member of the panel will be completely independent from the leadership and management of the school. Most often, the independent person will be a member of staff focused on staff welfare.

All panel reviews need to take place within three calendar months of the initial submission of the request to review form and details of the time and venue of the meeting will be notified to you by the HR Manager. If you are unable to attend the panel hearing on the

date given, then one further date for the panel can be requested. However, if you do not attend the second agreed date then the panel will proceed regardless of your attendance. You may choose to make a written submission instead of attending in person. If this is the case, please notify the HR Manager of your intention and provide this at least one working day in advance of the meeting.

The following parties will be invited to attend the panel hearing:

- You (the Complainant);
- the person/people who made the decision; and
- any other relevant parties identified by the panel e.g. witnesses.

There may also be a minuting clerk and HR Manager present. You will be notified of the exact attendance in your invitation letter.

You are entitled to bring a friend or colleague to the panel hearing. If the subject of the complaint is a member of staff then they will be invited to attend, and can bring a friend, a colleague. You should notify the panel if you intend to bring someone to speak on your behalf.

The panel does not usually consider it necessary for legal representatives to be present at the meeting. If you wish to bring a legal representative to any review meeting, you should request the panel consider their attendance through the HR Manager at least five working days in advance of the meeting date, as well as provide a clear explanation for why you believe a legal representative should attend. The panel will consider and respond to your request, but has absolute discretion to refuse attendance by legal representatives if it considers this appropriate.

The panel determines the procedure followed at the review meeting. In doing so it shall refer to the description of role and responsibilities of the Complainant, minuting Clerk, Chair of the panel and panel members.

The panel will be independent and impartial and the Chair of the panel will ensure that the meeting is held in as productive a way as possible. The aim of the panel is to achieve a reasonable resolution and ultimately a reconciliation between parties. Where reconciliation is not possible, the panel will certainly establish all of the facts and make recommendations to reassure you that your complaint has been taken seriously. The panel will consider the relevant information and representations made before deciding whether the review:

- 1) is upheld; or
- 2) is not upheld; or
- 3) is partially upheld.

If a review is upheld or partially upheld, the person who investigated your complaint will decide upon the recommended action that the School should take to resolve the upheld complaint or the upheld part of the complaint. Details of these actions may or may not be shared with you.

The HR Manager will write to you and the Headteacher/CEO explaining the Panel's decision within ten working days of the meeting. This letter will also include details of your right to further appeal if you remain unsatisfied.

This is the final stage in the School's internal complaints procedure. If the same issues are raised with the School following the panel review, they will only be re-considered in exceptional circumstances, for example where new evidence has become known

### **3. Dealing with unreasonable complaints and complainants**

Where a complainant raises an issue that has already been dealt with via the School's complaints procedure, and that procedure has been exhausted, this will be considered to be an unreasonable complaint and will not be reinvestigated except in exceptional circumstances, for example where new evidence has come to light.

If a complainant persists in raising the same issue, they will be written to explaining that the matter has been dealt with fully in line with the complaints procedure, and therefore the case is now closed.

Unreasonable complaints include the following scenarios:

- a complainant refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- a complainant refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved
- a complainant refuses to accept that certain issues are not within the scope of a complaints procedure
- a complainant insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice
- a complainant introduces trivial or irrelevant information which the complainant expects to be considered and commented on, or raises large numbers of detailed but not directly relevant questions, and insists they are fully answered, often immediately and to their own timescales
- a complainant makes unjustified complaints about staff who are trying to deal with the issues and seeks to have them replaced
- a complainant changes the basis of the complaint as the investigation proceeds
- a complainant repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- a complainant refuses to accept the findings of the investigation into that complaint where this complaints procedure has been fully and properly implemented.
- a complainant seeks an unrealistic outcome
- a complainant makes excessive demands on staff time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically

- maliciously
- aggressively
- using threats, intimidation or violence
- using abusive, offensive or discriminatory language
- knowing it to be false
- using falsified information.

This list is not intended to be exhaustive.

The Principal/CEO will use their discretion to choose not to investigate these complaints. If this decision is authorised, it will be notified to the complainant.

## **5. Observing Confidentiality**

Where possible complaints will be dealt with confidentially, we will avoid sharing details of the complaint except in very general terms. We would also expect that you, the complainant, observes confidentiality and does not discuss complaints publically, or via social media. The School maintains a centrally held record of complaints and the School will maintain confidentiality as far as is practicably reasonable.

## **6. Safeguarding**

Wherever a complaint indicates that a child's wellbeing or safety is at risk, the School is under a duty to report this immediately in accordance with Pearling Season International School's Safeguarding and Child Protection Policy which is available on the School's website.



If you wish to make a formal complaint, please complete this form and return it to the school.

<b>Your Name</b>	
<b>Your address</b>	
<b>Contact telephone day/mobile number</b>	
<b>Contact email address</b>	
<b>Name of pupil, year group and your relationship to them (where applicable)</b>	
<b>Details of the complaint (You need to provide an overview of the complaint so far, who has been involved, and why the complaint remains unresolved). With whom have you already discussed this, on an informal basis?</b>	
<b>Action taken so far (including staff member who has dealt with it) or solutions offered</b>	
Continued	

**The reason that this was not a satisfactory resolution for you, e.g. the situation remains the same or the action agreed to has not been taken.**

**What action would you like to be taken to resolve the problem?**

**e.g.1) The complaint has been heard.**

**2) Procedures have changed to assure that lessons have been learnt.**

Signed:

Date:

Please return this form to the HR Manager:

School Complaint Review Request Form

**Appendix B**

If you wish to request a review of the decision made in respect of your complaint please complete this form and return it to the school.

<b>Your Name</b>	
<b>Your address</b>	
<b>Contact telephone number/mobile number</b>	
<b>Contact email address</b>	
<b>When did you submit your formal complaint?</b>	
<b>Why are you dissatisfied by the decision made in respect of your complaint?</b> e.g. 1) Is it the outcome? 2) Is it the process not being adhered to? <b>You may continue on a separate piece of paper or attach additional documents.</b>	
Continued	

**What actions would you like to be taken to resolve your complaint at this stage?**

Signed:

Date:

Please return this form to the HR Manager