# COMPLAINTS POLICY AND PROCEDURE

## Aims

Leeds Menorah School welcomes suggestions and comments from parents and takes seriously complaints and concerns that may raise. We recognise that, from time to time, parents may have concerns on various issues and we would encourage them to bring these to us so that we can allay them.

However, if parents do have a complaint relating to Leeds Menorah School which they wish to be dealt with, they can expect it to be handled in accordance with the following procedure, which is based on the model recommended for use by independent schools.

Leeds Menorah School aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and in all cases we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

We believe that all complaints which we receive should be treated seriously and investigated fully and fairly. The School will always try to resolve complaints informally and in an amicable fashion where possible. The School's Complaints Procedure is divided into Informal and Formal Stages and it is expected that the majority of complaints will be resolved quickly at the Informal Stage.

Complaints will be dealt with on as confidential a basis as possible, but it may be necessary for the person who first receives a complaint to discuss it with those who can resolve it, so anonymity and total confidentiality cannot be guaranteed. No one will receive adverse treatment as a result of having a complaint or because someone else has raised a complaint on their behalf.

## Legal Framework

Independent School Standards
Extract: Part 7: Manner in which complaints are handled

This Part of the standards sets out requirements about a complaints procedure to deal with complaints from parents of pupils which, among other things, needs to provide three stages: informal stage, formal stage and a hearing before a panel, which is to include an independent member. To meet Part 7 a proprietor must ensure that a procedure is drawn up and effectively implemented and which:

- is in writing.
- is made available to parents of pupils.
- sets out clear time scales for the management of a complaint.
- allows for a complaint to be made and considered initially on an informal basis.

- where the parent is not satisfied with the response to the complaint made in accordance with the above point, establishes a formal procedure for the complaint to be made in writing.
- where the parent is not satisfied with the response to the complaint made in accordance with the above point, makes provision for a hearing before a panel appointed by or on behalf of the proprietor and consisting of at least three people who were not directly involved in the matters detailed in the complaint.
- ensures that, where there is a panel hearing of a complaint, one panel member is independent of the management and running of the school.
- allows for a parent to attend and be accompanied at a panel hearing if they wish.
- provides for the panel to make findings and recommendations and stipulates that a copy of those findings and recommendations is:
    i. provided to the complainant and, where relevant, the person complained about; and
    ii. available for inspection on the school premises by the proprietor and the head teacher.
- provides for a written record to be kept of all complaints that are made in accordance with the fifth point above, and:
    i. whether they are resolved following a formal procedure, or proceed to a panel hearing; and
    ii. action taken by the school as a result of those complaints (regardless of whether they are upheld); and
    iii. provides that 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 109 of the 2008 Act requests access to them.

We wish to ensure that:

- parents wishing to make a complaint know how to do so;
- we respond to complaints within a reasonable time and in a courteous and efficient way;
- parents realise that we listen and take complaints seriously;
- we will take action where appropriate.

## Who can make a complaint?

This complaints procedure is limited to parents of children that are registered at the school.

## Difference between a concern and complaint

A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A complaint may be defined as 'an expression of dissatisfaction, however made, about actions taken or a lack of action'.

## Scope of this complaints procedure (In line with the Independent school standards, 2019)

This procedure covers all complaints about provision of community facilities or services by Leeds Menorah School, and the limitations of this procedure are described below.

| Exceptions | Notes |
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| Admissions to schools | The complaints procedure does not apply to prospective pupils, and therefore, it does not have to cover failure to admit such pupils. |
| Exclusions from school | does not cover complaints from parents of pupils who have left voluntarily or as a result of being excluded (except in cases where the complaints process was started when the pupil was still being educated at the school). |
| Statutory assessments of Special Educational Needs<br>School re-organisation proposals | Concerns about statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Ruth Bell (SENDCo) or Mr Bell (Acting Headteacher) |
| Matters likely to require a Child Protection Investigation | Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.<br>If you have serious concerns, you may wish to contact the Headteacher or local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).<br>Contact numbers:<br>LADO: 0113 3789 687<br>MASH: 0113 222 4403 |
| Whistleblowing | We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.<br>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters directly with their employer. Referrals can be made at: www.education.gov.uk/contactus.<br>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. |

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| Staff grievances | Complaints from staff will be dealt with under the school's internal grievance procedures. |
| Staff conduct | Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.<br>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed. |
| Complaints about services provided by other providers who may use school premises or facilities | Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct. |
| National Curriculum - content<br>Kodesh Curriculum - content | Please contact the Department for Education at: www.education.gov.uk/contactus<br>For Kodesh curriculum content or other hashkafa / ethos matters affecting the curriculum contact Mr Bell. |

## How to raise a concern or make a complaint

**Stage 1: Informal**

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

It is hoped that most concerns and complaints can be made and resolved on an informal basis and we encourage complainants to take this route initially.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Concerns should be raised with either the class teacher or headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

**Stage 2: Formal**

Formal complaints must be made to the headteacher (unless they are about the headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

The headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Within this response, the headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The headteacher can consider whether a face-to-face meeting is the most appropriate way of doing this.

Note: The headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

During the investigation, the headteacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the headteacher will provide a formal written response within 20 school days of the date of receipt of the complaint. If the headteacher is unable to meet this deadline, they will provide the complainant with an update and, revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Leeds Menorah School will take to resolve the complaint.

The headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint is about the headteacher, proprietor/ member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 2.

Complaints about the headteacher or member of the governing body must be made to the Proprietor /Clerk, via the school office.

Stage 2 may also be dealt with by an independent investigator appointed by the governing body / management committee / Vaad Rabbonim - at their discretion. At the conclusion of their investigation, the independent investigator will provide a formal written response.

**Stage 3: Panel Hearing**

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the proprietor or Headteacher via the school office, within 5 school days of receipt of the Stage 2 response.

The Headteacher will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

A panel will be convened to hear the complaint at Stage 3 with at least one panel member who is independent of the management and running of the school. This person will not be on the management committee / governing body or a staff member, nor a professional who regularly acts on behalf of the school. The panel will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not permit parents to bring legal representatives to the panel meeting. However, there may be occasions when legal representation is appropriate. They will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school days of receipt of the Stage 3 request. If this is not possible, they will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the headteacher will decide when to hold the meeting. It will then proceed in the complainant's absence taking into account any written submissions by the complainant.

The panel will consider the complaint and all the evidence presented. The panel can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the panel will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

## Findings and Recommendations

The Chair of the panel will provide the complainant and Leeds Menorah School with a full explanation of their decision and the reason(s) for it, in writing, within 15 school days.

The person who is the subject of the complaint will also be sent an explanation of the panel's finding and decision.

A copy of the findings and recommendations will be sent to the proprietor and headteacher and made available for inspection on the school premises by the proprietor and the head teacher.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Leeds Menorah School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

## Resolving the complaint

At each stage in the procedure, Leeds Menorah School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part.

In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

## Withdrawing a complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except in so far as is required of the school by paragraph 6(2)(i) of the Education (Independent Schools Standards) Regulations 2003, where disclosure is required in the course of the school's inspection; or where any other legal obligation prevails.

All parents have the right, as a last resort, to appeal to the Secretary of State for Education, if they still feel that their complaint has not been properly addressed.

## Child Protection

In situations concerning alleged abuse the Child Protection Procedures take precedence over the following complaints procedure. All complaints will be recorded and dated in the Complaints File. If appropriate an accident or Incident Report will also be completed. After a complaint has been resolved the final outcome will be written in the Complaints File. Any recommendation for changes in procedure will be made and noted against the Complaints Policy.

## Monitoring and review

The Trustees monitor the complaints procedure, in order to ensure that all complaints are handled properly. The Head Teacher logs all complaints received by the school and records how they were resolved. They examine this log on an annual basis.

The Trustees take into account any local or national decisions that affect the complaints process and make any necessary modifications to this policy. This policy is made available to all parents, so that they can be properly informed about the complaints process.