



## COMPLAINTS POLICY

2023-24

THE HAMMOND SCHOOL LTD., MANNINGS LANE, CHESTER, CH2 4ES  
Telephone: 01244 305350 | Web: [www.thehammondschool.co.uk](http://www.thehammondschool.co.uk) | Email: [contact@thehammondschool.co.uk](mailto:contact@thehammondschool.co.uk)

The Hammond School Limited is registered in England and Wales Number 838325. Registered office is above. Charity Number 1022427 incorporating the Betty Hassall Foundation. The school is accredited by the I.S.A and C.D.E.T. and is a member of the B.S.A and I.S.I.

The Hammond strives to minimise any complaints received through proactively ensuring procedures are adhered to. The Hammond will always create a supportive and open channel for parents of pupils and students, and other individuals, to voice concerns and complaints.

The Hammond sets out to ensure that:

- The Hammond listens and acts on all complaints.
- All complaints are investigated thoroughly, fairly and promptly in three stages (informal, formal, and a panel hearing).
- Arrangements for record keeping will be made.
- Wherever possible, The Hammond will find a resolution.
- Complainants will not suffer as a result of a complaint, and there will be confidentiality of correspondence, statements and records.

This procedure is not intended to replace the normal discussions regarding problems and concerns which take place in school on a day-to-day basis. It is only where the complainant remains dissatisfied with the outcome of such discussions that further steps may need to be taken.

This policy and procedure applies to all staff as well as current pupils/students and their parents. The policy and procedure also applies to former pupils/students and their parents only if the complaint was raised whilst their child was still registered at the school. Any other parties wishing to make a complaint about the school, including parents of prospective students or members of the general public, please refer to the General Complaints section below. Pupils and students are advised to contact form tutors, teachers, and other pastoral staff to ensure any complaints they have are resolved.

This policy is available on The Hammond website, [www.thehammondschool.co.uk](http://www.thehammondschool.co.uk), or on request to [contact@thehammondschool.co.uk](mailto:contact@thehammondschool.co.uk).

The Hammond will retain all complaints for 7 years. Should the complaint be of a safeguarding or child protection nature, The Hammond will follow the guidance here: *'Records concerning allegations of abuse must be preserved for the term of the Independent inquiry into Child Sexual Abuse and at least until the accused has reached normal pension age or for 10 years from the date of the allegation if it is longer'*.

### **Aims**

- To give careful consideration to all complaints and deal with them fairly and honestly.
- The school will allow sufficient opportunity for any complaint to be fully discussed
- To find a resolution through open dialogue and mutual understanding.
- To make every effort to ensure parents of boarders who wish to complain are given an appointment at a time convenient to them.

### **What the school expects**

The Hammond expects its staff to treat parents of Hammond students in a courteous and polite manner. Equally the school expects that parents will treat its staff in the same way.

### **General Complaints**

Any person, including members of the public, may make a complaint about any provision or facilities or services which the school provides, unless separate statutory procedures apply (i.e. Exclusions, Admissions). These complaints should be made in writing to the **Principal** at the school's postal address.

The Hammond  
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Complaints about services supplied by other providers who may use the school's premises should be made directly to the companies concerned, who should have their own complaints procedures.

Any such complaints will be recorded separately from parental (or higher education students) complaints, but will be dealt with in the spirit of this policy.

### **Anonymous**

The school will do its best to be helpful to parents who contact them with a complaint. However, the school will not, and of course by their nature is unable to, respond to an anonymous complaint.

### **Monitoring and Review**

The Board of Directors of The Hammond monitors the Complaints Procedure, in order to ensure that all complaints are handled properly. The Principal will check the complaints file regularly for logs of complaints received by The Hammond, identify any trends over time and note how efficiently complaints are resolved. Directors will examine this log on an annual basis and consider the need for any changes to the procedure. Discussion of the complaints policy will be included annually in a staff training meeting, usually at the start of the academic year in September on the whole staff INSET programme.

### **COMPLAINTS PROCEDURE**

Most complaints can be dealt with informally. If the parent has a child at The Hammond, and the parent's concern is about The Hammond, the education provided by The Hammond, or matters in the boarding house, these should first be discussed with the child's form tutor, or with the pastoral leader responsible for the appropriate year group.

If the complaint is from a student at higher education level, the issue should first be discussed with the student's personal academic tutor. Please note that, at degree level, The Hammond will only communicate with students, not with parents.

In most cases, concerns can be dealt with by staff before they reach the stage of a formal complaint. Where a complaint is made, staff in both school and boarding houses will record the steps taken to resolve the issue informally and keep notes of discussions. However, it is

recognised that neither teachers nor boarding house staff wish to discourage parents from voicing concerns by formally logging every minor concern raised. The Hammond 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 aforementioned, The Hammond will establish a formal procedure for the complaint to be made in writing.

Although all formal complaints will be made in writing, this does not mean that the formal stage is automatically triggered whenever a concern is expressed in writing, for example, by email. Complaints will usually only progress to the formal stage after first being considered at the preliminary stage and only then if the complainant intends to escalate a matter to the formal stage.

Please note that timescale could differ during school holiday periods, particularly during the summer holiday period. However, where possible the school will endeavour to adhere to the timescales listed. Records of such complaints will be kept on the pupil's file.

For Exclusions Appeals, parents should follow the process as set out within this policy as well as in the Exclusions Policy. Staff should refer to their Employee Handbook and the Grievance Procedure contained within it.

The Hammond is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. The Hammond will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

### **Stage 1 – Informal**

If the parent (or student of higher education) has a concern then they should make an appointment to see either the class teacher, tutor, pastoral leader, senior leader, or house staff to arrange an informal discussion. If parents live at a distance, then concerns could be put in a letter or email or telephone call. We hope to resolve all informal concerns within 10 working days. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the tutor, teacher, or house staff cannot resolve the matter alone, it may be necessary for him/her to consult with a member of the leadership team, all of whom consider any complaint very seriously. The class teacher, form tutor, head of year or house staff, will then discuss the matter again with the parent within seven working days of the staff member's discussion with the parents. It is hoped that most complaints can be resolved at this stage. The form tutor/ teacher, member of the boarding house staff will make a brief, written record of all concerns and complaints and the date on which they were received. If the original concern was expressed in a letter, then the response may also be by letter. Should the matter not be resolved at this stage or in the event that the tutor and the parent fail to reach a satisfactory resolution then parents will be advised to proceed with their complaint in accordance with stage 2 of this Procedure.

### **Stage 2 – Formal**

If the matter cannot be resolved informally the parent or student of higher education should then make an appointment to see the Principal and put their complaint in writing before the meeting. Or may write to The Principal instead. If the complaint is about the Principal then parents should write directly to the Directors (care of The Hammond) to make a formal complaint. When writing the nature of the complaint should be stated and the steps already taken to resolve it. Parents should state their views on discussions with The Hammond so far, and the action they would like to see taken to remedy their concerns. Parents will be notified of the outcome of any investigations or enquiries within 14 working days (not calendar days) of receipt of the complaint, or will be advised should there be a delay to this communication. Should the complaint be received immediately before or during a holiday period the time taken to investigate the issue and inform parents of findings will be 28 working days of receipt of the complaint. The school will keep written records of the complaint, of all meetings and interviews held in relation to the complaint and will keep a record of the action taken by the school as a result of the complaint and will at all times endeavour to ensure that issues are dealt with properly and fairly. Where a parent is not satisfied with the response to a formal complaint made in writing, the parent will be offered the opportunity of writing to pre meeting the Chair of Directors. If the parent is not satisfied beyond this, provision will be made for a meeting before a panel appointed by or on behalf of the Directors. In other words, a parent should proceed to stage three of this procedure.

### **Stage 3 – Formal, Panel Meeting**

At this stage, a panel will meet to consider the complaint, meet parents or student of higher education and make a final decision about the complaint on behalf of the Directors. The Panel will consist of at least three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of The Hammond, who has no connection, past or present, with the school. Each of the Panel members shall be appointed by the Directors.

The DfE has given the following guidance on the identity of an independent panel member:

*‘Our general view is that people who have held a position of responsibility and are used to scrutinising evidence and putting forward balanced arguments would be suitable. Examples of persons likely to be suitable are serving or retired business people, civil servants, heads or senior members of staff at other schools, people with a legal background and retired members of the Police Force might be considered.’*

Parents will be requested to submit written evidence on the complaint. The Directors, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable, and within 14 working days. If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than two days prior to the Hearing. Parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not

normally be appropriate but if required, the identity of the person(s) attending should be made known to the panel beforehand by at least 48 hours.

If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out. After due consideration of all facts they consider relevant, the Panel will reach a decision and may make recommendations, which it shall complete within a further seven days of the Hearing. The Panel will write to the parents informing them of its decision and the reasons for it. The decision of the Panel will be final. The Panel's findings and, if any, recommendations will be sent in writing to the parents, the Principal and the Directors and where appropriate, the person complained about.

For compliance purposes a panel hearing should take place unless the parent later indicates that they are now satisfied and do not wish to proceed further. The panel hearing should, therefore, proceed notwithstanding that the parent may subsequently decide not to attend. If necessary, the panel should consider the parent's complaint in his/her absence and issue findings on the substance of the complaint thereby bringing the matter to a conclusion.

A written record will be kept of all formal complaints, the panel's findings and recommendations and at what stage they were resolved and the actions taken by the school. This will include situations where the parent is not satisfied with the response to the informal complaint made. The Hammond will ensure that a formal procedure for the complaint to be made in writing is then provided. These records will be kept for at least three years and will be made available for inspection on The Hammond's premises by the Proprietor (Chair of the Board of Directors) and the Principal.

The DfE is clear that parents' rights to request and attend a panel is not forfeit because they have threatened or initiated legal proceedings.

The Hammond will ensure that Stage Three will be a full-merits hearing of the complaint, not merely a judicial review style check that process was followed. The panel will be provided with clear terms of reference for dealing with the complaint.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records relating to individual complaints will be kept confidential, except where the Secretary of State for Education or a body conducting an inspection of The Hammond under sections 109 of the 2008 Act requests access to them.

### **Unreasonable, Serial and Persistent Complainants**

In cases where the school is contacted by an individual repeatedly making the same points, or who asks the school to reconsider its position, the school will act in accordance with the procedure outlined below.

In line with the introduction and aims set out in this policy, the school hopes it can resolve a complaint. However, if despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied regarding an issue which has already been investigated and which has followed this procedure, it would be a poor use of the schools' time and resources to reply to repeated letters, emails or telephone calls making substantially the same points. If a complainant tries to re-open the same issue, the Chair of the Board of Directors can inform the complainant that the procedure has been completed and that the matter is now closed.

If the complainant continues to contact the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond.

The Hammond defines unreasonable complainants as *'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'*.

The school follows guidance as laid down in the Department for Education Document Best Practice Advice for School Complaints Procedures June 2020. Further details can be sought in this document.

### **Barring from the School Premises**

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. The Hammond will therefore act to ensure that it remains a safe place for pupils, staff and other members of its community.

If a parent's behaviour is a cause for concern, the school can ask him/her to leave school premises. In serious cases, the Principal or the Chair of Directors can notify a parent in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. The school will always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar will then be reviewed, taking into account any representations made by the parent, and either confirmed or lifted. If the decision is confirmed, the parent will be notified in writing, explaining how long the bar will remain in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Principal or Chair of Directors. However, complaints about barring cannot be escalated to the Department for Education. Once The Hammond's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

The above is in line with the Department for Education Document 'Best Practice Advice for School Complaints Procedures' – June 2020.

The Hammond will provide Ofsted or the ISI, on request, with a written record of all formal complaints made during any specific period, and the action which was taken as a result of each complaint.

**Complaints**

The number of formal complaints recorded against The Hammond for 2022-23 are listed below.

There were 5 formal complaints recorded against The Hammond during the previous school year – September 2022 to August 2023. All were resolved at stage two.





**Policy Details**

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