



Concerns and Complaints Policy

Sark School is proud of the quality of teaching and pastoral care provided for its pupils. We value our relationship with parents and all members of the school and local community. This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public or volunteers at the school, may make a complaint to Sark School about any provision of facilities or services that we provide.

If a complainant wishes to raise a concern we will endeavour to resolve it as quickly as possible to ensure an uninterrupted, smooth running of the school. Any concern will be treated by the School in accordance with this Concerns and Complaints Policy. Our policy refers to either an informal resolution, often referred to as a concern; or a formal resolution (Stage 1) often referred to as a complaint; or an Appeal Panel Hearing (Stage 2). It should be noted that in every case, Sark School aims to resolve these at the informal stage. Most concerns can be dealt with easily and quickly, but to ensure all concerns are handled effectively the school and Board of Governors has adopted a concerns and complaints policy and procedure.

The School's Policy and Procedure is devised with the intention that it will:

- .. usually be possible to resolve problems by informal means;
- .. be simple to use and understand;
- .. treat concerns and complaints confidentially;
- .. allow problems to be handled swiftly;
- .. inform future practice so that a problem is unlikely to recur;
- .. reaffirm the partnership between parents, staff and governors as we work together for the good of the pupils in the school and the island as a whole;
- .. ensure that the school's attitude to a pupil will never be affected by a parental complaint;
- .. discourage anonymous complaints;
- .. actively encourage strong home-school links;
- .. ensure that any person complained against has equal rights with the person making the complaint;
- .. be subject to a regular review cycle.

What constitutes a complaint/concern?

The difference between a concern and a complaint;



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A concern may be defined as *‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’*. In our school, a concern is any query raised by a complainant about the quality of our educational provision.

A complaint may be defined as *‘an expression of dissatisfaction however made, about actions taken or a lack of action’*. In our school, a complaint is a specific and/or persistent dissatisfaction

A concern may be made about any aspect of school life. It is likely to arise if a complainant disagrees with the way in which the school has: handled a situation or believes that the school has not fulfilled its statutory duty in an area; managed the education and welfare of a child; acted in a way the parent/carer perceived to be unfair. If this is not resolved as a concern the complainant may move this to Stage 1 where this becomes a formal complaint.

Complainants can be assured that both concerns and complaints will be treated seriously and confidentially. It is expected that complainants also respect this confidentiality to ensure the integrity of the process.

It is in everyone’s interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Sark School takes concerns seriously and will make every effort to resolve the matter as quickly as possible. The school is here for the benefit of all children on the island and you can be assured that no child would ever be penalised for a complaint/concern that you raise in good faith.

We understand that there are occasions when people would like to raise their concerns formally. In this case, Sark School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

Those with a concern or a complaint should not approach individual governors or committee members with them. 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.

Timeframe for dealing with complaints/concerns

All concerns will be handled seriously and sensitively.

Informal Resolution - A Concern

It is hoped that most concerns will be resolved quickly and informally.



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Parental Concerns

We would like you to tell us about your concern so that we can discuss with you how best to resolve it. The majority of concerns can be resolved informally by speaking to a member of staff. We welcome suggestions for improving our work in the school. Whatever your concern, please know that we shall treat it as strictly confidential.

If parents have a concern, they should contact their son/daughter's Class teacher as soon as possible. In many cases, the matter will be resolved straight away by this means to the parent's satisfaction. If the Class teacher cannot resolve the matter alone, it may be necessary for him/her to consult the Headteacher.

Be assured that our support and respect for you and your child in the school will not be affected in any way; please do not delay telling us of your concern. It is difficult for us to properly investigate an incident which is more than a day or two old.

After hearing your concern we will act as quickly as we can; we will let you know the timescale within which you may expect a response. Please allow time for any action we may take to be effective.

At this stage, concerns made directly to the Headteacher will usually be referred to the relevant Class teacher, unless the Headteacher deems it appropriate to deal with the matter personally, or unless it concerns a matter related to pupils in the Headteacher's class.

The relevant Class teacher will make a written record of all concerns and the date on which they were received. Should a matter not be resolved within 5 school days, or in the event that the relevant teacher and the complainant fail to reach a satisfactory resolution, then complainants will be advised to proceed with their complaint/concern in accordance with Stage 1 of this procedure.

If, however, the concern is against the Head, complainants should make their concern directly to the Chair of the Board of Governors. The Chair may be contacted in writing at the school address or by their email address: chairboardofgovernors@sark.co.uk

Other Concerns

If the complainant is not a registered parent at the school, concerns should be raised with the headteacher in the first instance.

Stage 1: Formal stage a complaint



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If the concern cannot be resolved on an informal basis, then within 10 school days the complainants should put their complaint in writing to the Headteacher, using Annex A. The completed form should then be sent electronically to complaints@sarkschool.co.uk. Upon the receipt of the complaint 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 3 school days. The headteacher will reflect upon the complaint and decide on an appropriate course of action.

The Headteacher will speak to complainants concerned within 5 days of receiving the complaint to discuss the matter further. The headteacher may 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. If possible, a resolution will be reached at this stage.

However, it may be necessary for the Headteacher to carry out further investigations.

During the investigation, the headteacher (or investigator if the complaint is against the Headteacher) will:

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

The Headteacher will keep written records of all meetings and interviews held in relation to the complaint. Depending upon the nature of the complaint, not all information can be shared with all parties.

Once the Headteacher is satisfied, so far as is practicable, that all of the relevant facts have been established, a decision will be made and the complainants will be informed of this decision in writing. The Headteacher will give reasons for the decision.

The written decision will be issued within 15 school days of the Headteacher receiving the complaint. If for practical reasons this is not possible, the Headteacher will write to the complainants and will inform the complainants within the ten day period referred to above. This will state the reason or reasons for the extension.

If the complaint is against the Headteacher, the Chair of the Board of Governors will take the place of the Headteacher outlined earlier within this policy.

If the complainant is not satisfied with the decision, they should proceed, within 10 school days, to Stage 2 of this procedure.

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Stage 2: Panel Hearing

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the Board of governors complaints panel, which will be formed of two impartial governors and one independent panel member. This is the final stage of the complaints procedure.

If complainants seek to invoke Stage 2 (following a failure to reach an earlier resolution) they will be referred to the Clerk to the Board of Governors who has been appointed to call hearings of a Complaints Panel. Upon receipt of the complainants wish to move to Stage 2 of the process, the Clerk the Board of Governors, on behalf of the Panel, will acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 28 days.

The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of three persons with no prior involvement or knowledge of the case and not directly involved in the matters detailed in the complaint; one of whom shall be independent of the management and running of the school. Should there not be the required number of governors available, external panel members may be brought in. These panel members would be suitably qualified and decided upon by the Education Committee.

Alternatively, if appropriate, an entirely independent panel may be convened to hear the complaint at Stage 2. This independent panel would be selected and approved by the Education Committee.

If the Panel deems it necessary, it may require that further particulars of the complaint/concern or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than 7 school days prior to the hearing.

The complainants may attend the hearing and be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or friend.

The meeting will be held in private. Electronic recordings of meetings or conversations are not permitted unless a complainant's own disability or special needs require it, in which case all parties must be told about it beforehand and consent of all parties attending must be sought before recordings of meetings or conversations take place. Consent will be recorded in any minutes taken.



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If possible, the Panel will resolve the complainants' complaint 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 make findings and may make recommendations.

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.

The Chair of the Panel will write to the complainant informing them of its decision and the reasons for it, within 15 school working days of the hearing. A copy of the Panel's findings and recommendations (if any) will be sent by electronic mail or otherwise given to the complainant, and, where relevant, the person complained about, as well as the Chair of the Board of the Governing Body, the Chair of the Education Committee and the Headteacher School. The decision of the Panel is final.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Recording complaints/concerns

Following resolution of a complaint/concern, the school will keep a written record of all complaints and whether they are resolved at Stage 1 or proceed to a panel hearing at Stage 2. At the school's discretion, additional records may be kept which may contain the following information:

- Date when the issue was raised
- Name of parent
- Name of pupil
- Description of the issue

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- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name of member (s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations)

The number of complaints and outcomes will be regularly reviewed by the Board of Governors.

Anonymous Complaints

We will not consider anonymous complaints. Any anonymous complaints will be retained and used to monitor any patterns of complaints.

Managing serial and persistent complaints, including complaint campaigns

There may be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the matter will be referred to the Education Committee who will inform them in writing that the procedure has been exhausted and that the matter is now closed.

Complainants can be assured that all complaints/concerns will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except insofar as is required of the school where disclosure is required in the course of the school's inspection or where any other legal obligation prevails.

Please note that parents may request the number of complaints registered in the preceding year.

Complaint Campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.



ROLES AND RESPONSIBILITIES

COMPLAINANT

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality

INVESTIGATOR (Typically the Headteacher)

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - o sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - o interviewing staff and children/young people and other people relevant to the complain
 - o consideration of records and other relevant information
 - o analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting



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- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the headteacher or complaints panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The headteacher or complaints panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

COMPLAINTS CO-ORDINATOR (TYPICALLY THE HEADTEACHER)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, headteacher, Chair of the Board of Governors and Clerk to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - o sharing third party information
 - o additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

CLERK TO THE BOARD OF GOVERNORS

The Clerk is the contact point for the complainant and the panel and should:

- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the panel's decision.



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COMPLAINTS PANEL CHAIR

The panel's chair, who is nominated in advance of the complaint panel meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the panel is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to state their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the panel is open-minded and acts independently
- no member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

COMPLAINTS PANEL MEMBER

Panel members should be aware that:

- The meeting must be independent and impartial, and should be seen to be so
- No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant



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- We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- Many complainants will feel nervous and inhibited in a formal setting
- Parents/carers often feel emotional when discussing an issue that affects their child.
- Extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting
- Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
- The panel should respect the views of the child/young person and give them equal consideration to those of adults.
- If the child/young person is the complainant, the panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
- However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the panel considers is not in the child/young person's best interests.
- The welfare of the child/young person is paramount.

If other bodies are investigating aspects of the complaint, for example the constables or safeguarding teams, 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. In some circumstances the school and Board of governors may decide that the complaint sits wholly with these external bodies to conclude the investigation.



Appendix A: Complaints Form

Please complete and return to the appropriate email address (see page 4 of the complaints policy). We will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address:
Postcode:
Day time telephone number:
Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the school about it and any relevant dates. <i>It is expected that the issues would have already been raised as a concern to the school prior to a complaint being made.</i>



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Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Action taken:

Date: