



## Complaints Procedure

### Introduction

Belhaven has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a complaint, they can expect it to be treated by the school with care and in accordance with this procedure. Belhaven makes its complaints procedure available to all parents of pupils and of prospective pupils on the school's website and in the school office during the school day.

### What Constitutes a Complaint?

A complaint is an expression of dissatisfaction as a result of a real or perceived problem. It may be made by a pupil, a parent, a prospective parent or a member of the public. The complaint may concern the school as a whole, a pupil or pupils, a specific department or an individual member of staff. A complaint is likely to arise if an individual believes that the school has done something wrong, failed to do something that it should have done, acted unfairly, been impolite or not given due consideration to an issue.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. The school is here for their children and they can be assured that their child will not be penalised for a complaint that they (or their child) raises in good faith. Pupils, likewise, should be reassured that no complaint they raise will be held against them and any concerns voiced will be taken seriously and considered carefully.

### Timeframe for Dealing with Complaints

All complaints will be handled seriously and sensitively. They will be acknowledged within five working days if received during term time and as soon as practicable during holiday periods. It is in everyone's interest to resolve a complaint as speedily as possible: the school's target is to complete the first two stages of the procedure within 28 days if the complaint is lodged during term-time and as soon as practicable during holiday periods.

Stage 3, the Appeal Panel Hearing, will be completed within a further 28 days, if the appeal is lodged during term-time and as soon as practicable during holiday periods.

## **Confidentiality**

Parents and pupils should be assured that knowledge of their complaint will be limited to the Head and to those directly involved. In some instances the Chair of Governors may need to be informed. In exceptional circumstances it may be necessary to make third parties outside the school aware of the complaint. This would happen where, for example, a child's safety was at risk or it became necessary to refer matters to the police or if a Conciliation Committee were convened. The school is bound by national data protection law as regards the disclosure of information concerning pupils and their families.

## **Recording Complaints**

Following resolution of a complaint, the school will keep a written record of all complaints and whether they are resolved informally, or after more formal investigation in accordance with the procedure set out below. 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
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name of member (s) of staff involved
- Copies of all correspondence on the issue (including emails and records of phone conversations)

## **Complaints from members of the public**

Belhaven expects that its staff and pupils should behave appropriately whether on school premises or away from school. Should a member of the public wish to complain about the behaviour of a pupil, a group of pupils or a member of staff, they should contact the Headmaster directly at the earliest opportunity. Such a complaint will be taken seriously and investigated carefully and expeditiously. Where appropriate, the results of the investigation will be reported back to the complainant. If the complaint concerns the behaviour of the Headmaster, it should be directed to the Chairs of Governors, Alexander Dewar and Camilla Gray Muir, who can be contacted on [adewar@belhavenhill.com](mailto:adewar@belhavenhill.com) , [cgraymuir@belhavenhill.com](mailto:cgraymuir@belhavenhill.com) .

## **Anonymous Complaints**

Anonymous complaints are discouraged and will only be considered in exceptional circumstances. Parents, pupils and members of the public are

encouraged to identify themselves and can be assured of confidentiality. Should a complainant insist on anonymity, it is at the Headmaster's discretion as to how their complaint is then dealt with - this will depend on the nature of the complaint and against whom it is directed. All anonymous complaints will be recorded in the school log.

### **The Nature of Complaints**

The school's complaints policy does not apply to areas where there are separate or specific procedures in place, such as child protection, bullying or exclusion.

### **Complaints by Parents**

#### **Informal Resolution**

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

Parents have access to three channels (contact details for all staff are available in the School Office, on the website and in the printed School diary published termly):

1. **Their child's Form Teacher or Tutor.** Parents may wish to use this route if they want to seek advice or discover if their concern is more generally felt. The form teacher or patrol leader would speak with the Headmaster and either communicate the school's response himself/herself or leave it to the Headmaster to do so.
2. **The two House Parents** - Edmund Lovatt (Head of Boys' Boarding) and Laura Graham (Head of Girls' Boarding). Direct contact with these staff members would only be appropriate if the concern or complaint fell within their remit. They will appraise the Headmaster of the complaint and either he or they will communicate the school's response.
3. **The Headmaster.** More serious complaints, or complaints about the behaviour of any member of staff, should be made directly to him.

If, however, the complaint is against the Headmaster, parents should make their complaint directly to the **Chairs of Governors, Alexander Dewar or Camilla Gray Muir (contact details above)**.

Whichever channel is used, a written record of all concerns and complaints, and the date on which they were received will be kept and reviewed by the Headmaster or, if he is the cause of the complaint, by the Chair of Governors. Should the matter not be resolved within a week, or in the event that the school and the parent fail to reach a satisfactory resolution, then parents will be advised to proceed with their complaint in accordance with the procedures detailed below.

Complaints about a member of staff may need to be investigated under the school's disciplinary policy or other internal procedures. If this is the case, the complainant will be informed and the investigation will be confidential.

## **Stage 1 - Formal Resolution**

If a complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Headmaster who will decide, after considering the complaint, the appropriate action to take. In most cases the Headmaster will meet or speak to the parents concerned, normally within two days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.

It may be necessary for the Headmaster to carry out further investigations or consult with one or more of the senior governors. The Headmaster will keep written records of all meetings and interviews held in relation to this complaint.

Once the Headmaster is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and the parents informed of this decision in writing.

If parents are still not satisfied with the decision, they should proceed to Stage 2.

## **Stage 2 - Referral to the Chair of Governors**

### **Complaints which have not been resolved at school level**

Where a complaint has not been resolved, the Headmaster will refer the matter on a confidential basis to the Chairs of Governors and advise the parents that this stage has been reached. However, should a parent feel that their complaint has been mishandled by the Headmaster, the parent should write directly to the Chairs. In these circumstances the Chairs will call for a full report from the Head and for all relevant documents. The Chairs may decide to ask for a briefing from individual members of staff. In circumstances where the Chairs are unable to investigate the complaint themselves, they may delegate the matter to a senior Governor, who will act on their behalf.

As the Chairs or their nominee investigate the matter, they will write to the parents, advising them of the action being taken, asking them if they wish to add to what they have said already, and giving a date by which they may expect a full response. That response will be clear and detailed and where possible will offer a solution that should satisfy the parents. If the parents remain dissatisfied, they can call for a meeting with the Chairs or their nominee.

### **Meeting with the Chairs of Governors**

If a meeting is requested, the Chairs or their nominee will offer to meet the parents at a time convenient to them. Those involved will be:

- the Chairs of Governors or their nominee
- the Headmaster and possibly one other member of staff
- the parents

The parents are invited to bring with them a friend as a supporter. Legal representation is not considered appropriate at this stage.

The Chairs, after listening to the parents and the Headmaster, will endeavour to find a solution. If this is not possible, and the parents wish to take the matter further, it should be referred to the school's Conciliation Committee.

### **Stage 3 - Conciliation Committee Hearing**

If parents seek to invoke Stage 3, following a failure to reach an earlier resolution, the matter will then be referred to the Conciliation Committee for consideration. The Conciliation Committee will be convened by the Charity and Governance Committee on behalf of the Board of Governors. The panel will consist of at least three people, two of whom will be Governors not directly involved in matters detailed in the complaint and one of whom shall be an individual independent of the management and running of the school.

The members of the Committee will be committed to keeping proceedings confidential and to operating in a fair and objective manner - their aim will be to conciliate.

The Chair of Governors, in consultation with the Headmaster, decides when to refer a complaint to the Conciliation Committee, and invites the Governance & Charity Committee to call a meeting. The Headmaster would not be consulted at this stage, if he were the subject of the complaint.

Those involved in the meeting will be:

- the three Committee members, who will nominate a Chair from amongst their number
- the Headmaster, if appropriate
- the parents, who are invited to bring a friend as a supporter, as for the meeting with the Chair of Governors.

A sufficient amount of time will be set aside for the meeting.

The parents and the Headmaster will be asked in advance whether there is any further information they would like to be considered at the meeting, bearing in mind the need to keep the proceedings confidential. Papers will be copied and distributed before the meeting.

The Chair may find it helpful at some point to invite the Headmaster, the parents and their friend to withdraw for a time, to give the Committee an opportunity to consider the position.

**If a positive solution is reached, the Chair will summarise the outcome and confirm the nature of the agreement before the meeting ends. The agreement should be recorded, copied and circulated as soon as possible.**

## **Behaviour of Complainants**

The School has a duty to its staff to provide them with a safe place to work, free from harassment and abuse. For this reason, complainants are reminded that all complaints should be moderate and appropriate in tone. Personal abuse of the Headmaster or members of staff, whether directly or in correspondence will not be tolerated under any circumstances.

We will endeavour to resolve any complaints to the complainant's satisfaction or with an otherwise appropriate outcome. If a complainant feels that they have not obtained a satisfactory outcome, they can contact the Scottish Council of Independent Schools (SCIS) for advice on telephone no: **0131 556 2316**.

## **Complaints by Pupils**

Complaints by pupils, which may appear minor still need to be handled seriously; they may test the complaints procedures on relatively minor issues before finding the confidence to raise something more serious, such as bullying.

Pupils also need assurance on confidentiality. They need to understand that the staff will respect their confidentiality and that their complaint or concern will only be shared with those directly involved although they are encouraged to talk to their parents about any complaint that they may have. Pupils also need to know that they will not be adversely affected or unfairly treated if they or their parents raise a concern or make a complaint.

If any pupil has a problem, suggestion or complaint about any aspect of their treatment at Belhaven, in the first instance they should talk to their Tutor, the House parents, the school counsellor or any member of the staff in whom they feel they can confide.

If the matter cannot be settled then they can make a formal complaint to Mr Lovatt or Miss Graham, who will then address the complaint and get back to the pupil within three days. A copy of the complaint will be kept and passed on to the Headmaster. If they are still not satisfied the pupil can make an appointment to see the Headmaster. They may take a friend, a Patrol Leader, Tutor or another member of staff to see the Headmaster. The Headmaster will talk the matter through and try to sort out the problem. A record of the meeting will be kept and discussed with the pupil as necessary.

Pupils can also contact the Scottish Care Inspectorate if they have a serious complaint. Information about Child Line and the Care Inspectorate is in each house or they can ask Mr Lovatt or Miss Graham for information or advice.

There are opportunities for the boarders to air their concerns at regular year group meetings in the houses and all pupils are invited to speak up at patrol meetings and PSHE lessons, where they are encouraged to understand

that their views matter. There is also a School Council, chaired by the Headmaster and a Food Committee, chaired by the Headmaster's wife.

The pupils at Belhaven can have access to the Complaints Procedure at any time and there are also notices around the school explaining what they should do if they have a concern or complaint.

**Reviewed by the Charity & Governance Committee on 2nd October 2018  
(to be reviewed again in March 2019)**