



## RIKKYO SCHOOL

### COMPLAINTS PROCEDURE FOR PARENTS

**Rikkyo school fully recognises its responsibilities for safeguarding and child protection**

We have a whole school approach to safeguarding, which is the golden thread that runs throughout every aspect of Rikkyo School. Our fundamental priority is our children and their wellbeing; this is first and foremost.

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Policy published (including on website):	September 2024
Next review:	September 2025
Policy Owner:	Dr Okano (Headmaster)

**Introduction:** *Rikkyo School has long prided itself on the quality of the teaching and pastoral care provided to its students. However, if parents do have a complain, they can expect it to be treated by the School with care and in accordance with this Complaints procedure. Rikkyo School makes its Complaints Procedure available to all parents of students and of prospective students on the School's website and in the School office during the school day, and Rikkyo School will ensure that parents of students and of prospective students who request it are made aware that this document is published or available and of the form in which it is published or available, and of the number of complaints registered under the formal procedure during the preceding school year. In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, Rikkyo School will also make available, on request, to Ofsted, the Department for Education (DfE) or the Independent Schools Inspectorate (ISI), details of this Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year.*

*[Although this Procedure is made available to parents of prospective students, it is not available for use by them; it may only be used by parents of current students. It may also be used by students who are current boarders to raise the own complaints about boarding provision.]*

*[Complains by parents of former students will be dealt with under this Complaints Procedure only if the complaint was initially raised when the student to which the complaint relates was still registered as a student at the School.]*

*The School will be mindful of its obligations under the Equality Act 2010 in the application of this policy. "Parent(s)" mean the holder(S) of the parental responsibility for a current or prospective student about whom the complaint relates.*

**What Constitutes a Complaint?:** A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the School as a whole, about a specific department or about an individual member of staff, and any matter about which a parent is unhappy and seeks action by the School is within the scope of this procedure. A complaint is likely to arise if a parent believed that the School has done something wrong, failed to do something that it should have done or has acted unfairly.

**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 Education and Skills Act 2008 requests access to them. There may also be other circumstances in which the School is required to share information relating to a concern or a complaint in order to comply with its legal or regulatory obligations.**

**The School is here for your child and you can be assured that your child will not be penalised for a complaint that you [or your child] raise[s] in good faith.**

#### **The Three -Stage Complaints Procedure**

##### **Stage 1 – Informal Resolution**

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

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- If parents have a complaint, they should normally contact their child's Home Room Teacher. If the Home Room Teacher cannot resolve the matter alone it may be necessary for them consult a Head of Department or Deputy Headmaster.
- Complaints made directly to a Head of department, Deputy Headmaster or the Headmaster will usually be referred to the relevant Home Room Teacher unless the Head of department, Deputy Headmaster or the Headmaster deems it appropriate for them to deal with the matter personally
- The Home Room Teacher will make a written record of all concerns and complains and the date on which they were received. Should the matter not be resolved within 15 working days or in the event that the Home Room Teacher 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 Complains Procedure.
- If the complaint is against the Headmaster, parents should make their complaint directly to the Chair of Governors whose contact details are available from the School on request.

### **Stage 2 – Formal Resolution**

- If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Headmaster. The Headmaster may in some circumstances deem it appropriate to nominate a staff member to hear the complaint and manage the Stage 2 complaint process. The Headmaster (or their nominee) will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Headmaster (or their nominee) will speak to the parents concerned, within 10 working days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage. It may be necessary for further investigations to be carried out. The Headmaster (or their nominee) will determine who should carry out any investigation and this may be someone external to the School.
- **Written records** will be kept of all meetings and interviews held in relation to the complaint.
- Once the Headmaster (or their nominee) is satisfied that, so far as is practicable, all the relevant facts have been established, a decision will be made, and parents will be informed of this decision in writing. The Headmaster (or their nominee) will also give reasons for their decision. In most cases, the Headmaster will make their decision and provide the parents with reasons within 15 working days of the complaint being put in writing; the Headmaster will aim to resolve the complaints as soon as he can but complicated investigations will take longer.
- If the complaint is against the Headmaster, the complaint should be made to the Chair of Governors/Trustees. The Chair of Governors/Trustees will nominate someone to determine the complaint. The Stage 2 process described above will then be followed as if the references to the Headmaster (or their nominee) is to the individual nominated by the Chair of Governors/Trustees to determine the complaint against the Headmaster.
- If parents are still not satisfied with the decision, they should process to Stage 3 of this procedure.

### **Stage 3 – Panel Hearing**

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they should do so in writing to the Clerk to the Governors or the Bursar within 10 days of receiving the decision at Stage 2, setting out their grounds of appeal and why they disagree with the Headmaster's decision. Any supporting evidence which the parents wish to rely on should also be provided with their grounds of appeal. To the extent the parents are unable to provide their complaint within the time period stipulated due to extenuating circumstances, which have impeded the parents from taking action, the parents should request an extension in writing. Such a request should be made to the Clerk to the Governors/Trustees or the Bursar in advance of the original deadline, setting out the further time period requested and the reason for this. This will be considered. In the event the parents are unable to provide their complaint within the time period stipulated (including to the extent applicable any extensions if agreed) the School reserves the right to conclude the complaint process and not progress the matter to Stage 3.
- **The Clerk to the Governors/Trustees, who has been appointed by the Governors to call hearings of the Complaints Panel, will then refer the appeal to the Complaints Panel for consideration. The Panel will consist of 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 School.** Chair of Governors/Trustees will appoint one Panel member to act as Chair of the Panel. The Clerk to the Governors/Trustees, on behalf of the Panel, will then acknowledge the complaint within five working days and schedule a hearing to take place within 15 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 or further investigation be carried out. Copies of such particulars shall be supplied to all parties **not later than five working days** prior to the hearing.
- **The parents may attend the hearing and be accompanied to the hearing by one other person if they wish.** The Stage 2 decision-taker shall also be entitled to be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or

friend. Legal representation will not be appropriate, and the companion should not be a lawyer. The Panel will decide whether it would be helpful for witnesses to attend.

- The remit of the Panel shall be at the discretion of the Chair of Governors/Trustees and the manner in which the hearing is conducted shall be at the discretion of the Panel.
- The remit of the Panel shall be at the discretion of the Chair of Governors and the way the hearing is conducted shall be at the discretion of the Panel.
- If possible, the Panel will resolve the parent's 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 the merits of the complaint and all facts they consider relevant, **the Panel will make findings as to whether or not the Stage 2 decision was a reasonable one and decide whether to:**
  - dismiss the complaint(s) in whole or in part;
  - uphold the complaint(s) in whole or in part; and
  - make recommendations.
- The panel will write to the parents informing them of its decision and the reasons for it, **within 10 working days of the hearing** (although additional time may be required if it is necessary to carry out further investigations following the hearing). The decision of the Panel will be final. A copy of the Panel's findings and recommendation (if any) will be sent by electronic mail or otherwise given to the parents, and, where relevant, the person complained about as well as the Chair of Governors and the Stage 2 decision-taker. A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the School premises by the Chair of Governors and the Head.

**Timeframe for Dealing with Complaints:** All complaints will be handled seriously, sensitively and within clear and reasonable timescales. 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 15 working days**. Stage 3, the Appeal Panel Hearing, will be completed **within a further 15 working days**.

Please note that, for the purposes of this procedure, **working days** refer to weekdays during term time, excluding bank holidays and half term. This means that during School holidays it may take longer to resolve a complaint although the School will do what is reasonably practicable to avoid undue delay. It may also take longer to resolve a complaint during periods of significant disruption to School life or as a consequence of unavoidable staff absence, however deviation from the normal timescale for resolving a complaint during term time will only occur on an exceptional basis, and the School will take all reasonable steps to limit any such delay. Parents should note that in many ways it will be easier to resolve a Stage 3 complaint via the UK Board of Governors rather than the Japanese Board of Trustees based in Tokyo due to their access to the School. Invariably, Panel Hearings will be online.

**Recording Complaints and use of personal data:** Following resolution of a complaint, the School will keep a written record of all formal complaints, regardless of what stage they are resolved at, and any action taken by the School as a result of the complaint (regardless of whether the complaint is upheld). The School processes data in accordance with its Privacy Notice. When dealing with complaints the School (including any Panel member appointed under the Stage 3 process) may process a range of information, which is likely to include the following:

- Date when the issue was raised
- Name of parent
- Name of student
- Description of the issue
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name and contact details of members of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations)
- Notes/ minutes of the hearing, and
- The Panel's written decision

This may include 'special category personal data' (as further detailed in the School's *Privacy Notice [and/or Data Protection Policy]*), but potentially including, for instance, information relating to physical or mental health) where this is necessary owing to the nature of the complaint. This data will be processed in accordance with the School's [Data Protection Policy].

The School will keep records of formal complaints and Complaints Panel hearings, as required by regulation. It will do so in accordance with its Privacy Notice and Data Protection Policy. All records relating to complaints shall be treated as confidential. In addition to

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where requested by the Secretary of State or an inspector (see above), there may be other circumstances where disclosure of the substance of a complaint or particular confidential records relating to it is required, for example, where there is a legal, regulatory, safeguarding or data protection obligation (eg, in response to a subject access request) which prevails over the requirement to maintain the records as confidential.