

### 33a PARENTAL COMPLAINTS POLICY AND PROCEDURE

*Our mission is to develop happy, confident and successful children  
who are well prepared for their future.*

#### INTRODUCTION

Westbrook Hay Prep School 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.

- A complaint is an expression of dissatisfaction where the complainant requires a way of having their concern heard, investigated and resolved.
- The dissatisfaction may be 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 believes that the School has done something wrong, failed to do so something that it should have done or has acted unfairly.
- This procedure is only applicable to complaints raised a parent when the child concerned is currently a pupil at the school. Once a pupil has left the school the procedure is no longer applicable (unless the complaint is already under investigation at the time of leaving)
- This policy is made available on the school's website
- Parents and prospective parents may request details of the number of complaints registered under the formal procedure during the preceding school year by contacting the Head Teacher's PA.
- A working week or working day refers to weeks/days (Mondays to Friday) when the school is in session.
- If a pupil has been 'permanently excluded' any appeal must be conducted under the terms set out in the Exclusion Policy – the pupil is deemed to have left the school.

This policy applies to the whole School including the Early Years Foundation Stage.

In accordance with paragraph 32(1)(b) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, Westbrook Hay Prep School will also make available, to the Chief Inspector, the Secretary of State or an independent inspectorate, details of the complaint's procedure and the number of complaints registered under the Formal procedure during the preceding School year.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. The School is here for the children and parents can be assured that their child will not be penalised for a complaint raised in good faith.

It is a requirement by ISI that all complaints and actions taken to resolve a complaint are logged. The Complaints log is confidential with restricted access. It is maintained by the Head Teacher's PA. Records are retained and destroyed in line with GDPR requirements.

## THE THREE-STAGE COMPLAINT PROCEDURE

### Stage 1 - Informal Resolution

### Stage 2 - Formal Resolution

### Stage 3 - Panel Hearing

#### Stage 1 - Informal Resolution

- It is hoped that most complaints and concerns will be resolved quickly and informally. If parents have a complaint they should, as a matter of routine, contact their son/daughter's Form teacher. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Form teacher cannot resolve the matter alone it may be necessary for them to consult the Head of the relevant section of the school or the Deputy Head.
- Complaints made directly to the Head of Years or the Deputy Head will usually be referred to the relevant Form teacher unless the Head of Years or the Deputy Head deems it appropriate for them to deal with the matter personally.
- The Form teacher will complete a Record of Significant Conversation form when a concern or complaint is brought to them. All completed forms are sent to the Head Teacher's PA. Should the matter not be resolved within two working weeks, or in the event that the Form teacher and the parent fail to reach a satisfactory resolution, then parents will be advised to proceed to stage 2 of this procedure.
- If the complaint is against a Head of Years or the Deputy Head, parents should make their complaint directly to the Head Teacher.
- If the complaint is against the Head Teacher, parents should make their complaint directly to the Chairman of Governors

#### 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 Head Teacher. The Head Teacher will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Head Teacher will meet or speak to the parents concerned, normally within 5 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 the Head Teacher to carry out further investigations.
- The Head Teacher will keep written records of all meetings and interviews held in relation to the complaint which will be forwarded to the Head Teacher's PA for inclusion in the complaints log.
- Once the Head Teacher is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing, normally within 5 working days of the initial meeting. The Head Teacher will give reasons for their decision.

- If the complaint is against the Head Teacher, the Chairman of Governors will call for a full report from the Head Teacher and for all the relevant documents. The Chairman may also call for a briefing from members of staff, and will in most cases, speak to or meet with the parents to discuss the matter further. Once the Chairman is satisfied that, so far as is practicable, all of the relevant facts have been established, the parents will be informed of the decision in writing. The Chairman will give reasons for his decision.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.
- A written record is held of all complaints made to the school under the formal part of the complaint's procedure. In relation to these complaints, the school will record whether they are resolved at Stage 2 or proceed to a panel, and the action taken by the school as a result of the complaint (whether or not it is upheld).

### Stage 3 - Panel Hearing

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they will be referred to Chairman of Governors who has been appointed by the Governors to call hearings of the Complaints Panel.
- The matter will then be referred to a Complaints Panel for consideration. The Chairman of Governors will appoint each member of the Complaints Panel, nominating the Chair of the Panel and a Clerk to the Panel. 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. The Clerk may be a member of the school staff. The Chairman of Governors, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 10 working days.

### PROCEDURES FOR PREPARATION FOR A COMPLAINTS PANEL HEARING

The Clerk should convene an initial meeting of the Complaints Panel and arrange a date and time for the Hearing. The Clerk should give all available relevant documentation to the panel members. 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 normally not later than 5 working days prior to the hearing.

- The Clerk should then write to the Complainant, the Head Teacher and any other relevant staff witnesses to inform them:
  - The date and time of the hearing
  - The aims and objectives of the hearing and how it will be conducted
  - That documentation for the Panel's consideration must be presented to the Clerk no later than five working days before the date of the hearing
  - The right of the complainant to be accompanied by one other person to provide support. This may be a relative or friend. Legal representation will not be permitted.
  - How and when the Panel will reach and communicate their decision.
- It is the Clerk's responsibility to ensure that all parties receive relevant documentation at least 3 working days before the Hearing.

## FORMAT OF A COMPLAINTS PANEL HEARING

The complaints Panel Hearing should take the following suggested format:

- The Panel members will appoint a Chair. The Chair of the meeting will introduce all parties to one another and explain the principles, objectives and format of the hearing.
- The complainant will be given the opportunity to explain their complaint. Following this, the Head Teacher and the panel members may ask the complainant questions.
- The Head Teacher will then be given an opportunity to explain the school's official response, interpretation or view about the complaint. Following this, the complainant and panel members will be allowed to question the Head Teacher.
- Each party will be given an opportunity to call any witnesses and question witnesses called by the other party.
- The Head Teacher and complainant will be given the opportunity to give final statements in relation to the matter.
- The Chair of the meeting should bring the hearing to its conclusion

### Following the Hearing

The complaints panel should consider the complaint and all the evidence presented by both parties. After all the evidence on both sides has been considered, the complaints panel will:

- a) reach a majority decision on the complaint findings;
- b) decide together whether the complaint outcomes sought are upheld in full, partially upheld, or not upheld;
- c) decide upon the appropriate action (if any) to be taken
- d) suggest changes to, or request review of, the school's existing policy or procedures to ensure that problems of a similar nature are not repeated

The Panel will write to the parents informing them of its decision and the reasons for it, normally within 10 working days of the hearing). The decision of the Panel will be final. A copy of the Panel's findings and recommendations (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 Chairman of Governors and the Head Teacher. A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the School premises by the Chairman of Governors and the Head Teacher. The complaints register will be updated to reflect the outcome.

## TIMEFRAME FOR DEALING WITH COMPLAINTS

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 20 working days**.

## RECORDING COMPLAINTS – COMPLAINTS REGISTER

Following resolution of a complaint, the School will keep a written record of all Formal complaints, whether they are resolved at the informal stage, the Formal stage or proceed to a panel hearing and any action taken by the School as a result of the complaint (regardless of whether the complaint is upheld). 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 handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations)

Correspondence, statements and records relating to individual complaints will be kept confidential and retained in accordance with our Information Records Retention Policy, 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.

### **Written complaints relating to the requirements under the statutory framework for the EYFS**

In addition to the above three stages, additional information applies to the EYFS as follows:

Complaints relating to a pupil in EYFS are required to be entered in the 'Provide Complaints Record' maintained by the Head of Pre-Prep. The Head of Pre-Prep is required to maintain, for at least three years a record of: the date, the source of the complaint (including which standard it is related to), brief details of the complaint, and the actions and outcomes. Complainants must be notified of the outcome within 28 days. Parents of pupils in EYFS can make a complaint to ISI should they wish. Contact details are:

Independent Schools Inspectorate  
Ground Floor  
CAP House,  
9-12 Long House,  
London  
EC1A 9HA

Tel: 020 76000100

Additionally, complaints received by the Head of Pre-Prep, relating to the EYFS, will be notified to the Head Teacher to be logged in the concerns file or formal complaints file maintained by the school.

**Westbrook Hay Prep School** will provide ISI, on request, with a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint. The record of any such complaints will be kept for at least three years.

Summary of Complaints received

Year	Level 2	Level 3
2010	1	
2011	2	
2014	2	
2015	1	1
2016		1
2017		1
2019	2	
2020		

Reviewed by Mark Brain, Head Teacher 23.10.20

Approved by Andrew Newland, Chair of Governors on 26.10.20

Next Review by Governing Body due October 2021