

COMPLAINTS PROCEDURE

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Produced by:	The Principal and Governors
Cross referencing:	To be read in conjunction with the following policies: EYFS Documents

Monitoring, evaluation and review

The School will review this procedure annually and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the school

WESTHOLME SCHOOL FORMAL COMPLAINTS PROCEDURE

Westholme School has a reputation for high quality teaching and pastoral care. It is inevitable that queries or concerns will occur from time to time and such issues may be dealt with by various staff. At Westholme we welcome suggestions, feedback and comments from parents and students. In most cases these concerns are resolved at an informal level but we take these matters seriously. However, if parents do have a complaint, they can expect it to be treated by the School in accordance with the following Procedure. This policy applies to parents of registered pupils and past pupils if the complaint was initially raised when the pupil was still registered at the school.

A complaint will be treated as an expression of genuine dissatisfaction, which needs a response.

We wish to make sure that:

- Parents wishing to make a complaint know how to do so.
- We respond to complaints within the specified timeframe below and in a courteous and efficient way.
- Parents realise that we listen and take complaints and their concerns seriously.
- We take action where appropriate.
- A written record is kept of concerns and complaints whether they are resolved or progress to the next stage; this includes any changes, adjustments or actions taken by the School with regard to policies or procedures and their implementation.

Westholme School is committed to offering education, pastoral care and communication of the highest quality. We welcome feedback from parents about the quality of services which we provide – good or bad. We endeavour to achieve the highest quality educational experience for all pupils and, therefore, are always seeking for ways to improve.

If you are not happy with any aspect of the School or about your contact with us we need to know so that we can take action to make improvements. The School receives very few complaints from parents and we hope that the majority of problems can be resolved through information and positive discussion without the need to resort to formal procedures.

The staff take all complaints very seriously because we put the welfare of all our pupils and our service to parents at the top of our list of priorities. In the event of a complaint it is our aim to:

- Ensure a full and fair investigation
- Respect confidentiality
- Address all the points at issue and provide an effective response
- Deal with the matter as quickly as possible, either immediately or otherwise within two working days of receiving a communication. If it is going to take longer, we will explain to you what action is being taken and will keep you informed thereafter.

The procedure for making a formal complaint is available on our website and can be requested from Reception at all sites. This policy does not cover exclusions and this is covered by a separate policy.

‘I don’t want to complain as such, but there is something bothering me’

The School is here for you and your child, and we want to hear your views and your ideas. Contact a member of staff, as described above.

‘I am not sure whether to complain or not’

If, as parents, you have concerns, you are entitled to express them. If in doubt, you should contact the School; we are here to help.

‘How should I complain?’ (Stage 1) – Informal Resolution

You can talk directly to any member of staff; write a letter, email or telephone. Be as clear as possible about what is troubling you. Any member of staff will be happy to help and will make a written record of the subject matter and the date on which it was received. This will be sent to the Principal for information. As part of the Early Years’ Provision, and in keeping with good practice, all complaints and associated documents are kept on file for at least three years.

Receipt of your complaint will normally be acknowledged within **1–2 working days**. However, during holiday periods (when key staff may be away) this timescale needs adjustment and your complaint, once received, will be acknowledged within **5 working days**.

It may be best to start with the person most closely concerned with the issue, for example, your child’s class teacher, form tutor or Head of Year or to raise concerns over games directly with the Head of PE. They may be able to sort things out quickly and effectively. However, you may prefer to take the matter to a more senior member of staff, for example the Head of Sixth Form, Deputy Head or the Principal. Should the matter not be resolved satisfactorily within 10 days at this informal stage, then parents will be advised to proceed with their complaint in accordance with Stage 2 – Formal.

- It is expected and hoped that most complaints and concerns will be resolved quickly and informally.
- If parents have a complaint they should normally contact their child’s class teacher (CT), Head of Year (HoY) or Head of Department (HoD). In many cases the matter will be resolved straight away by this means to the parents’ satisfaction. If the CT, HoY or HoD cannot resolve the matter alone, it may be necessary for him/her to consult with the Deputy Head or the Principal.
- Complaints made directly to the Principal will usually be referred to the relevant CT, HoY, HoD or Deputy Head unless the above deems it appropriate for him/her to deal with the matter personally.
- The CT, HoY, HoD, or Deputy Head will make a written record of all concerns and complaints and the date on which they were received. All details of complaints are passed to the Deputy Head - Pastoral to be logged on the Central Record of Complaints Form (see appendix 1). If the complaint is about a member of staff, the Principal will be informed and will keep a record of this.
- Should the matter not be resolved within **two weeks** or in the event that the class teacher, HoY, HoD, or Deputy Head 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.
- Often a thorough investigation will take place in order to collate all the relevant information. This will be completed as quickly as possible. If this issue is raised during a holiday period when staff absence may impede a full investigation, a clear timeframe and plan will be proposed and shared with you. This would include an initial meeting or telephone call to establish an agreed timescale and way forward.
- Information will only be shared on a need to know basis in order to deal with the complaint effectively.

A written record is kept of concerns and complaints at this stage, whether they are resolved or progress to Stage 2.

‘What will happen next?’ (Stage 2) – Formal Resolution

If the issue cannot be resolved at Stage 1, then the parents should put their complaint in writing to the Principal. The Principal will decide, after considering the complaint, the appropriate course of action to take. Receipt will be acknowledged within **2 working days**; during the Covid pandemic, this may be up to five working days due to potential absence and disruption.

In most cases, the Principal will speak to the parents concerned, normally within **3 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 Principal (or representative) to carry out further investigations and they will attempt to resolve the matter at this stage. The Principal will keep written records of all meetings and interviews held in relation to the complaint.

Once the Principal 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. The Principal will also give reasons for his/her decision. In normal circumstances (allowing for further investigations) a decision will be communicated within **10 working days** – if this process takes longer this will be communicated and explained to you. Any complaint relating to the fulfilment of EYFS requirements will be investigated and complainant notified of the outcome within 28 days.

If parents are still not satisfied with the decision they may proceed to Stage 3 of this procedure. If a parent does not exercise the right to attend a panel hearing, this does not remove the School’s obligation to hold a hearing.

A written record is kept of formal complaints clarifying whether the issue has been resolved at this stage or proceeding to Stage 3.

‘I am still not happy’ (Stage 3) – Panel Hearing

If parents wish to invoke Stage 3 having failed to achieve earlier resolution either informally or formally they should write to the Chairman of Governors (Mr B C Marsden, via School – Wilmar Lodge, Meins Road, Blackburn, BB2 6QU); this should be marked ‘confidential’. Stage 3 is a full merits hearing of the complaint, not a judicial review style check. Parents can also contact the Secretary to the Governors, in confidence, on 01254 506081 (or, if preferred, the relevant email address can be used: howartha@westholmeschool.com). Receipt of the complaint will be acknowledged by Mrs Anna Howarth, the Governors’ Secretary, normally within 2 working days. **If this request is made without the matter having been previously investigated under Stage 2 then the Chairman may refer the issue back to that point.** The arrangements for the hearing should be reasonable in order to facilitate parents’ right to attend and be accompanied if they wish.

The Chairman of Governors may invite a fellow Governor to investigate the matter in conjunction with the Principal. The investigating Governor (or Chairman of Governors) may establish a Complaints Panel. The panel will be appointed by the Governors and will consist of at least three people who were not directly involved in the matters detailed in the complaint, including one person who is independent of the management and running of the school (e.g. serving or retired business people, civil servants, Heads or senior members of staff at other schools, people with legal background and retired members of the police

force etc.). The choice of this independent person may be determined by the nature of the complaint. The panel must be selected within two weeks. All parties will be informed of the procedure. The panellists are selected from the appropriate professions in medicine, law and accountancy.

Every three years the Chairman of Governors is responsible for confirming that the panellists wish to continue in this role.

The Complaints Panel convener will acknowledge the complaint and arrange a hearing to take place as soon as practicable and normally within **14 days** of receiving the written complaint. The Secretary to the Governors will organise a time and a place for the appeal hearing to take place and will inform all parties. This will be within **14 working days** of the panel being selected. The Panel may require further details of the complaint in advance of the hearing. Copies of any such details will be supplied to those involved in the hearing not less than seven working days before its scheduled date. The Chairman will keep a written record of all meetings and interviews held in relation to the complaint.

As parents you may attend and be accompanied at the hearing by one other person. This may be a teacher, friend or a professional advisor. Legal representation will not normally be appropriate although can be allowed by the School.

The hearing will take place as follows:

With everyone present:

- (a) (i) The Principal will set out the school's case.
(ii) Questioning by the panel.
- (b) (i) The parents make their presentation setting out the reasons why they are dissatisfied with the actions of the school.
(ii) Questioning by the panel.
- (c) Either side may ask questions of the panel.
- (d) No witnesses can be called by either party.
- (e) The Principal and the parents leave the meeting to allow the panel to discuss the case.

The Panel's findings and recommendations stipulate that a copy of those findings and recommendations is –

- i. provided to the complainant and, where relevant, the person complained about; and
- ii. available for inspection on the school premises by the proprietor/Governors and the Principal.

It will be sent in writing or by electronic mail by the Secretary to the Governors, to the parents, the Principal, the Chair of Governors and, where relevant, the person complained about, within 48 hours. A confidential record will be kept on school premises.

The Principal shall be entitled to attend the Panel Hearing. The Panel will try to resolve the complaint without the need for further investigation. Should further investigation be required it will be conducted as

directed by the Panel. The Panel will consider all relevant facts before reaching its decision about the complaint and making any recommendations within seven working days of the Hearing. The Panel will convey its decision and reasons for it to the parents in writing. The decision of the Panel will be final. The Panel's findings and any recommendations it may make will be sent in writing to the Complainant, all Governors and the Principal. Where relevant, the person who was the subject of the complaint will receive a copy also.

Actions taken by the school as a result of complaints, whether upheld or not, will be recorded.

From 1st October 2015, in the event that the School is unable to resolve a contractual dispute with a parent, an Alternative Dispute Resolution (ADR) can be used. Information signposting parents towards a relevant certified ADR provider will be given.

Once the internal complaints procedure has been exhausted, we will inform parents (in writing):

- a) that the School cannot settle the complaint with the parent;
- b) of the name and website address of an ADR entity which would be competent to deal with the complaint, should the parent wish to use ADR; and
- c) whether the school is prepared to submit to an alternative dispute resolution procedure operated by that ADR entity.

'What happens about confidentiality?'

Your complaint or concern will be treated in a confidential manner and with respect. Knowledge of it will be limited to the Principal and those directly involved. The Chairman of Governors will also be informed. It is the School's policy that complaints made by parents should not have any adverse impact on their children.

Parents can be assured that all concerns and complaints will be treated seriously, fairly, confidentially and professionally. We cannot entirely rule out the need to make third parties outside the School aware of the complaint and possibly also the identity of those involved. While information relating to specific complaints will be kept confidentially on file for 25 years, anonymous complaints may not be pursued. Correspondence, statements and records are kept confidential. This would only be likely to happen very rarely where, for example, a child's safety was at risk or because it was not necessary to refer matters to the police or except where the Secretary of State or body conducting an inspection under section 109 of the 2008 Act request access to them.

The period for retaining records of complaints which do not have safeguarding implications is a minimum of 7 years. Records concerning allegation of abuse will be preserved for the term of the Independent inquiry into Child and Sexual Abuse and at least until the accused has reached normal pension age or 10 years from the date of the allegation if it is longer.

Mediation

At any stage of the process it may be helpful to consider mediation, or a facilitated discussion, by an experienced mediator as a way to address and resolve any particularly difficult or sensitive issues as constructively as possible.

Recording Complaints

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).

Prep School EARLY YEARS (EYFS)

- A written record is kept of all Prep School EYFS complaints, and of whether they are resolved at the informal stage, formal stage or proceed to a panel hearing and is kept for three years.
- Should they so wish, Prep School EYFS parents may make a complaint to ISI or DfE at the following addresses:

➤ **ISI**

Independent Schools Inspectorate
CAP House
9 - 12 Long Lane
London
EC1A 9HA

Telephone 020 7600 0100
Fax 020 7776 8849

<http://www.isi.net/>

➤ **DfE**

Ministerial and Public
Communications Division
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

Telephone 0370 000 2288
Fax 0161 600 1332

<http://www.gov.uk/government/organisations/departments-for-education>

- Written complaints about the fulfillment of the Prep School EYFS requirements must be investigated and the complainant notified of the outcome of an investigation within 28 days.
- The school is required to provide ISI, on request, with a written record of all Prep School EYFS complaints made during any specified period, and the action which was taken as a result of each complaint.