



Complaints Procedure Winchester House School

Author	Jane Thorpe local Winchester House variations Antonia Lee
Date of Review	January 2022
Approving Body	Heads
Regulatory References	Safeguarding & CP Policy (BSCP)
	Whistleblowing Policy
	Staff discipline, conduct and grievance policy
Next Review	May 2024

Document distribution:

Website ISI Portal Staff Handbook

Introduction

The Stowe Group is dedicated to providing the best possible education and support for all its pupils. This means having a clear, fair, and efficient procedure for dealing with any complaints to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

This policy only fully applies to registered pupils and parents/guardians of registered pupils at the individual school within the Stowe Group. If complaints are raised by other persons, they will be dealt with under stages 1 and 2 of the formal policy only.

All school staff will be made aware of the complaints procedure and expected to review this document regularly in order that they are familiar with our process of dealing with complaints and can be of the most assistance when an issue is brought to their attention.

This document explains that procedure, and the steps that it outlines should be referred to and followed by all pupils and their parents whenever an issue arises that causes them concern. If it becomes necessary to alter the time limits and deadlines set out within this procedure, you will be advised accordingly, given an explanation and provided with revised timescales.

This procedure does not apply to complaints where there is another route available to make representations or appeal. This includes:

- *pupil admissions*
- *pupil exclusions*
- *statutory assessments of special educational needs and education health and care plans*
- *appeals relating to internal assessment decisions for external qualifications*
- *disciplinary issues relating to members of staff*
- *matters likely to require a child protection investigation*
- *complaints about services provided by other providers who may use school premises or facilities*
- *staff grievances*
- *staff conduct issues*

Each of these follows its own process of complaints and appeals which are outlined in their relevant policies (please contact the School Office at the school your child attends for further guidance if required).

If there is an allegation or concern about physical or sexual misconduct towards a child, or there is a belief that a child may be at risk of serious harm, the school may immediately refer the case to child protection and welfare services and other authorities, including the police, as required by law and best practice. If it is decided that there is cause for an official investigation, the decisions by these authorities will supersede those made by the school and outlined in this document. Where the complaint relates to a safeguarding referral made by a member of staff at the school, any consideration of that complaint by the school will be limited to a review of the reasonableness of the decision to make the referral in light of the evidence available to the member of staff at that time and in light of the schools' safeguarding policies.

For more information on our schools' provision for protecting our pupils, read our **safeguarding policy** for the particular Stowe Group school that your child attends.

Concerns or complaints should be brought to the school's attention as soon as possible to enable a proper investigation to take place. Any matter raised more than 12 months after the incident being complained of (or, where a series of associated incidents have occurred, within 12 months of the last of these incidents) will not be considered unless the Head of the Stowe Group school concerned (or if the complaint is against the Head, the Chair of Governors) decides that there are exceptional circumstances relevant to the delay in bringing the complaint to the attention of the school.

Anonymous complaints will not be examined under this procedure.

1. When an issue or concern first arises

If you have a concern that you would like to take up with the school you should initially inform a member of staff either in person, over the telephone or in writing. Your concern will be acknowledged by the school within 48 hours during term-time and within a week during school holidays. You may then be invited to an informal meeting with the member of staff most appropriate for dealing with your concern.

You may wish to approach your child's class teacher/personal tutor/House Parent first as they will be best placed to help you either directly or by figuring out which other member of staff you should be speaking to.

We encourage parents to approach staff with any concerns they may have and aim to resolve all issues with open dialogue and mutual understanding. Early mediation may be offered in appropriate cases to help resolve the complaint at this stage.

If your complaint is about a member of staff, you should first raise this with the Deputy Head or Head either in person or in writing, and a meeting can be arranged with the Deputy Head or Head to discuss the issue at hand.

If your complaint is about the Head, you should raise your concern in writing with the Chair of Governors c/o Stowe School.

If your complaint is about a Governor, you should raise your concern in writing with the Clerk to the Governing Body c/o Stowe School who will advise you on how your complaint will be handled.

Any Governor will refer complaints that are taken straight to them back to the appropriate member of staff unless one of the above exceptions applies.

1.2 Initial informal meeting

Once a concern has been raised you may be invited to attend an informal meeting with a member of staff or the Deputy Head/Head/Chair of Governors to discuss your concerns.

You are welcome to bring a friend, partner or, in the case of a pupil who has raised a concern, a parent to this meeting. It may be appropriate for a pupil to attend the meeting if their parent has raised a concern, depending on the nature of the issue.

Staff have a responsibility to ensure that you understand any future points of action that have been agreed upon in this meeting and should make a record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.

All staff will do their best to ensure that your concerns are dealt with appropriately and efficiently but if you cannot come to an agreement, or are dissatisfied with the outcome of your meeting, you can make a formal complaint in writing to the Head.

There is no suggested timescale for resolution at this stage given the importance of dialogue through informal discussion although it would be expected that most issues would be resolved within 14 school days.

2. Formal complaints

In order to ensure that complaints are processed efficiently and effectively, Stowe Group schools deal with formal complaints in three stages:

If you do not feel that your concern has been dealt with as you would like, are unhappy with the outcome of your informal meeting or feel that the issue is serious enough that it warrants it, you can make a formal complaint in writing to the Head. If your complaint is about the Head you should go to the Chair of Governors who will respond in the way outlined below instead of the Head. Your written complaint should provide enough detail of the issues to allow the Head, or another appropriate member of staff nominated by the Head, to investigate and respond to the complaint. You should also set out what you feel would resolve the complaint.

The Head should acknowledge your complaint in writing within 3 school days, or 5 working days if the complaint is made in the school holidays. They may already be aware of the situation. They will outline the procedure and a target date for providing a written response to the complaint, which will normally be within 14 days of receipt.

The Head may call you in for a meeting to discuss the issue(s), possible solutions, or to explain what has or will happen as a result of your complaint. The Head will keep a record of all interactions with you and other staff, meetings and decisions made in reference to your complaint.

If the complaint is against a member of staff, the Head will talk to that employee and also determine whether a formal investigation is required and, if so, whether thereafter a disciplinary hearing should be convened. If the complaint contains an allegation of abuse of a pupil, a formal investigation may be instigated by either the school or external child welfare authorities to whom the school reports. Please refer to our **safeguarding policy** for an outline of this procedure.

The Head will reply to you in writing outlining their response to your concern, and any action that has or will be taken. If they have decided not to take any further action on the issue, they will explain what they have decided, how they have reached this decision, and will outline your right to take the matter further and the steps to be taken.

If the complaint is about the fulfilment of the EYFS requirements they will be investigated and you will be notified of the outcome of the investigation within 28 days. You may also contact Ofsted or ISI directly if you believe we are not meeting EYFS requirements. This can be done through their websites at <https://www.isi.net/safeguarding/concerns> for ISI and <https://parentview.ofsted.gov.uk/> for OFSTED.

3. Appeals – Panel Hearing

Stage 3

Where you are not satisfied with the school's response to your complaint at Stage 2 and indicate a wish to continue to stage 3, a panel hearing should take place unless you later indicate that you are now satisfied and do not wish to proceed further.

If an Appeals Panel is to be convened, the Director of Finance will inform you and make the necessary arrangements and will usually convene the Appeals Panel within 14 working days from the acknowledgement being sent. Where it is not possible to find a mutually convenient date within that timescale, the school will take reasonable steps to agree a time and date mutually convenient to all parties. If, despite best efforts, it is not possible to find a mutually convenient date and time for a hearing within a reasonable timeframe, the Director of Finance may determine that the hearing proceeds on written submissions from you and the school. The Director of Finance will ensure that all parties to the appeal have access to the same documentation and set out a timetable to support the collation and circulation of documents. Any supporting documentation relevant to the complaint must be submitted to the Appeals Panel by both parties at least 5 days before the Appeals Panel hearing. The Appeals Panel is under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account. The Appeals Panel will not normally accept recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

You are entitled to attend the panel hearing and to be accompanied to the hearing by a friend or relative and should notify the Director of Finance in advance if you attend to bring anyone. It is not appropriate to bring legal representation to an Appeals Panel hearing.

The Appeals Panel

The Appeals Panel will be made up of between three to five members and will include at least two members of the Governing Body and at least one person independent of the management and running of the Stowe Group schools.

No person can sit on the Appeals Panel if they have had any former knowledge or involvement in the case that is being dealt with at that time. The Chair of the panel will be nominated from within the group of panel members. All panel members will be familiar with and have access to the complaints procedure.

The Appeals Panel will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with from Stage 1 of the procedure.

The panel will consider how the complainant can be made to feel most comfortable presenting to the panel, especially in the case of a young child having to present or explain information.

Appeals procedure

The Appeals Panel will determine the procedure to be followed to ensure that it is best placed to deal with the issues arising from the complaint. The procedure for an appeal is usually as follows:

1. The complainant and Head will enter the hearing together.
2. The Chair will introduce the panel members and outline the process.
3. The complainant will explain the complaint.
4. The Head and panel will question the complainant.
5. The Head will explain the school's actions.
6. The complainant and panel will question the Head.
7. The complainant will sum up their complaint.
8. The Head will sum up the school's actions.
9. The Chair will explain that both parties will hear from the panel within 5 working days.
10. Both parties will leave together while the panel deliberates.
11. The Director of Finance will stay to assist the panel with its decision making.

There may be some situations where it is best to amend the above procedure so that the panel can hear from the school and complainant separately. This is at the Chair's discretion. If the complaint is about the Head, the school's Deputy Head or another senior member of the school's Leadership Team may represent the school at the hearing in place of the Head.

The Director of Finance will ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decisions taken, or actions agreed. Electronic recordings of the hearing will not normally be permitted and, in any event, would require the consent of all those present.

The Chair of the Appeals Panel/Director of Finance will notify the complainant of the panel's findings and recommendations in writing within 14 days of the appeal hearing. The letter will set out the findings and recommendations of the panel together with the reasons underpinning them. The letter may set out recommendations which will be made to the Governing Body. A copy of the outcome letter will be added to the school's complaints log and be available for the Head, Chair of Governors, ISI and Governor inspections.

The Appeals Panel may:

- dismiss all or part of the complaint
- uphold all or part of the complaint
- decide on the appropriate action to be taken to resolve the complaint
- evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

The Appeal Panel's decision is final.

4. Vexatious/persistent complaints

Whilst it is hoped that this document will reduce any dissatisfaction with the school, it is acknowledged that there may be rare occasions where a complainant continues to be dissatisfied with the school and the outcomes achieved under the complaints procedure.

Where a complainant attempts to re-open an issue which has already been dealt with under the complaints procedure, the Chair of Governors will contact them to inform them that the matter has already been dealt with and that either that stage of the policy has been exhausted or that the complaints procedure has been exhausted and the matter is considered closed. Where further correspondence is received on the same matter, this may be considered vexatious and the school will be under no obligation to respond to that correspondence.

If the complainant subsequently contacts the school again about the same issue, the school can choose not to respond. The normal circumstance in which the school will not respond is if:

- the school has taken every reasonable step to address the complainant's needs, and the school's position has been clearly set out in writing together with the complainant's options
- the complainant is contacting the school repeatedly but making substantially the same points each time
- the complainant refuses to follow the complaints procedures
- the school reasonably believes the aim of the contact is to cause disruption or inconvenience
- that the complainant acts or communicates in an inappropriate way towards school staff.

Once the school has decided that it is appropriate to stop responding, the complainant will be informed in writing. The school will ensure when making this decision that complainants making any new complaints are heard, and that the school acts reasonably. However, where the complainant, whether through disappointment at the outcome, or for some other reason, continues to raise new concerns/complaints that lack significance or merit and are in the view of the Head and Chair of Governors designed to disrupt and/or cause nuisance, and/or the frequency of contact and/or negative behaviour is having an adverse effect on the proper running of the school, the school's terms and conditions apply and the complainant may be required to withdraw their child(ren) from the school or comply with other restrictive measures.

5. Records, review and monitoring of complaints

The school will keep a written record of the progress of all complaints, including information about actions taken at all stages, whether they are resolved following a formal procedure or proceed to a panel hearing. These records will include the findings and recommendations and the actions taken by the school as a result of these complaints (regardless of whether they were upheld). The records will also include copies of letters and emails, and notes relating to meetings and phone calls. This material will be treated as confidential and held centrally and will be viewed only by those involved in investigating the complaint or on the review panel.

Complaints Procedure

Records of complaints including all correspondence, statements and records will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them. Any complaints involving a concern over the fulfilment of EYFS requirements will be made available to OFSTED and ISI on request. All complaints records of a non-safeguarding nature will be kept for 7 years and then destroyed. The Stowe Group Schools will review and evaluate all complaints no matter how far they are taken or what the outcome to ensure that similar problems are avoided in the future or to see if they could have been managed any more effectively. All records of any complaints will be kept confidential but may be inspected where appropriate by the Secretary of State or any inspection body.

The Governing Body will review the complaints procedure every 3 years.

The number of complaints received in the academic year 2020-2021 was:
5 x Stage 2 complaints

0 x Stage 3 complaints

6. Staff complaints

Staff who have a concern about a colleague or a volunteer member of staff should refer to our **whistleblowing policy as contained in the Staff Handbook.**

The procedure for dealing with any other staff complaints or employment grievances is set out in the school's **staff discipline, conduct and grievance policy as contained in the Staff Handbook.**

7. Complaint campaigns

For the purposes of this policy, a complaint campaign is defined as a complaint from three or more separate individuals (whether or not connected with the school) which are all based on the same subject. Depending on the subject in question, the school may deviate from the procedure set out in this policy and instead:

- send a template response to all complainants and/or
- publish a single response on the school's website (as applicable).

Contact details

For Stage 1 complaints, please send your complaint in writing to the Head of the Stowe Group school that your child(ren) attend(s).

For stage 2 or 3 complaints, please send your complaint in writing to the Director of Finance, Stowe School, Stowe, Buckingham MK18 5EH.