



## COMPLAINTS PROCEDURE

Member of staff responsible: Clare King

Last reviewed: 12<sup>th</sup> November 2019

Headmistress:

A handwritten signature in black ink, appearing to be a cursive 'a' followed by a horizontal line.

Chair of Governors:

## Introduction

Westbury House 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 Complaints Procedure. Westbury House School 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, and Westbury House School will ensure that parents of pupils [and of prospective pupils] who request it are made aware that this document is published or available and of the form in which it is published or available. **This procedure is not, however, available for use by prospective parents – it may only be used by parents of current pupils.**

In accordance with paragraph 32(1)(b) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, Westbury House School will make available to parents of pupils and of prospective pupils and provide, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate, details of the complaints procedure and the number of complaints registered under the formal procedure during the preceding school year.

## 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 believes that the school has done something wrong, failed to do something that it should have done or has acted unfairly. **This policy does not apply to complaints about pupil admissions or pupil exclusions.**

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. You can be assured that your child will not be penalised for a complaint that you [or your child] raises 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.
- If parents have a complaint, they should normally contact their son/daughter's Form Tutor. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Form Tutor cannot resolve the matter alone it may be necessary for them to consult a member of the Senior Leadership Team (SLT).
- Complaints made directly to the Senior Leadership Team will usually be referred to the relevant Form Tutor unless the SLT deems it appropriate for them to deal with the matter personally.

- The Form Tutor will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved within 5 working days or in the event that the Form Tutor 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 Complaints Procedure.
- If, however, the complaint is against the Head, parents should make their complaint directly to the Chair 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. The Head will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Head will speak with the parents concerned, 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 to carry out further investigations.
- The Head will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Head 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 Head will also give reasons for their decision.
- If the complaint is against the Head, the Chair of Governors will call for a full report from the Head and for all the relevant documents. The Chair 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 Chair 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 Chair will give reasons for their decision.
- If parents are still not satisfied with the decision, they should proceed 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 will be referred to Michelle Fennelly, Operations Director for The Inspired Learning Group (ILG), who has been appointed by the Governors to call hearings of the Complaints Panel.

- The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of three persons not directly involved in the matters detailed in the complaint and one of whom shall be independent of the management and running of the school. ILG will be responsible for the selection of the panel member. Michelle Fennelly, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place within 10 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. Copies of such particulars shall be supplied to all parties not later than 5 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. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.
- If possible, the Panel will resolve the parents' 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 all facts they consider relevant, the Panel will make findings and may make recommendations.
- The Panel will write to the parents informing them of its decision and the reasons for it, within 5 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 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 to the Chair of Governors and the Head. 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 and sensitively. They will be acknowledged within 5 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 20 working days. Stage 3, the Appeal Panel Hearing, will be completed within a further 20 working days.

Please note that, for the purposes of this procedure, working days refers to weekdays (Monday to Friday) during term time, excluding bank holidays.

## 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). 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 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.

The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015 require the school to provide parents, on conclusion of the final stage of the school's Complaints Procedure, with the name and address of an alternative dispute resolution provider who has been certified by the Chartered Trading Standards Institute as competent to resolve consumer disputes. Westbury House School recommends: [www.cedr.com](http://www.cedr.com). However, please note that the School is not obliged to enter into alternative dispute resolution and reserves the right not to do so.

Finally, should parents remain dissatisfied with the school's response and/or feel that intervention at a higher level is appropriate, they may lodge a complaint to external agencies as follows: Independent Schools Inspectorate (ISI) CAP House, 9-12 Long Lane, London EC1A 9HA  
Tel: 020 7600 0100 Email: [concerns@isi.net](mailto:concerns@isi.net)

In the academic year 2018-2019, the school received 0 formal complaints at Stage 3.