



Complaints Policy

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PUBLISH CONTROL

School website or internally only	School Website
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ISI REQUIREMENT

Required by ISI?	Yes
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¹ Unless earlier due to changes in legislation and/or statutory requirements.

Dealing with Parental complaints or concerns

1. Wellingborough School ("the 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 with care and in accordance with this Complaints Procedure.
2. The School makes its Complaints Procedure available to all parents of pupils and of prospective pupils on the School's website and we 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, and of the number of complaints registered under the formal procedure during the preceding school year.
3. In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulation 2014, the 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.

What constitutes a complaints?

4. 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.
5. Parents can be assured that all concerns and complaints will be treated seriously and confidentially. The School is here for your child and you can be assured that your child will not be penalised for a complaint that you raise in good faith.

What is not covered by our complaints policy

6. Anonymous complaints and unreasonable / vexatious complaints (see Appendix 1) are not covered by the policy. Further, complainants are not entitled to the details of any sanctions imposed on staff arising from their complaint, irrespective of the nature of the complaint and whether it is upheld.

Who can make a complaint?

7. This complaints policy applies to:
 - a. Parents of current pupils;
 - b. Parents of past pupils where the complaint was raised whilst they were a registered pupil at the School.
8. The only exception to this is if the complaint is a review of a decision taken by the Head to exclude or require the removal of a pupil under the School's Terms and Conditions of Contract, in which case such a review must be requested by no later than five working days from the date of the decision to exclude or require the removal of a pupil. In such cases, the School's Discipline & Exclusion Policy should be read in conjunction with this policy.

9. Although this Procedure is made available to parents of prospective pupils, it is not available for use by them; it may only be used by parents of current pupils.
10. 'Parent(s)' means the holder(s) of parental responsibility for a pupil to whom the complaint relates.

Will my complaint be kept confidential?

11. All complaints will be treated in confidence (and all correspondence, statements and records kept confidentially) with knowledge limited to the Head and those directly involved, subject always to any legal requirements regarding disclosure, including where the Secretary of State or a body conducting an inspection under Section 162A of the Education Act 2002 requests access to them.
12. Action which needs to be taken under staff disciplinary procedures because of a complaint would be handled confidentially by the School (subject to any legal requirements regarding disclosure).

How do I make my complaint?

13. The School operates a three-stage complaints procedure which is described below. All complaints must be made in writing (either hardcopy or electronically via e-mail) and must state that they wish to invoke the School's Complaints procedures.

Stage 1 – Informal Resolution

14. It is hoped that most complaints and concerns will be resolved quickly and informally. If parents have a complaint, they should normally contact their child's Housemaster/mistress (Senior School) or Form Tutor (Preparatory School). In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Housemaster/mistress or Head of Year / Form Tutor cannot resolve the matter alone it may be necessary for them to consult a Head of Department / Club President / Deputy Head.
15. Complaints made directly to a Head of Department / Club President / Deputy Head will usually be referred to the relevant Housemaster/mistress or Head of Year / Form Tutor unless they deem it appropriate to deal with the matter personally.
16. The staff member leading 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 10 working days, or in the event that the lead member of staff 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.
17. If, however, the complaint is against the Head of School, parents should make their complaint directly to the Chairman of Governors.

Stage 2 – Formal Resolution

18. If the complaint cannot be resolved on an informal basis then the parents should put their complaint in writing to the Head of School. The Head will decide, after considering the complaint, the appropriate course of action to take. If the complaint concerns a Preparatory School matter and is not against the Head of Prep themselves, the Head of School will usually nominate the Head of Prep to act on the School's behalf.

19. In most cases, the Head will meet or speak to the parents concerned within five 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, or their nominee, to carry out further investigations.
20. The Head will keep written records of all meetings and interviews held in relation to the complaint.
21. Once the Head 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 Head will also give reasons for their decision. In most cases, the Head will make their decision and provide the parents with reasons within 15 working days of the Stage 2 complaint being put in writing.
22. If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

Stage 3 – Panel Hearing

23. 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 within five working days of receiving the decision at Stage 2, setting out their grounds of appeal. Any supporting evidence which the parents wish to rely on should also be provided with their grounds of appeal.
24. The Clerk to the Governors, 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 and one of whom shall be independent of the management and running of the School. The Chairman of Governors will appoint one Panel member to act as Chair of the Panel. The Clerk to the Governors, 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.
25. 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.
26. The parents may attend the hearing and be accompanied to the hearing by one other person if they wish. The Head 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 normally be appropriate. The Panel will decide whether it would be helpful for witnesses to attend. All those attending the hearing are expected to show courtesy, restraint and good manners; the Chair of the Panel Hearing may at his/her discretion adjourn or terminate the hearing at any point where this is not observed.
27. The manner in which the hearing is conducted shall be at the discretion of the Panel. 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.

28. After due consideration of all facts they consider relevant, the Panel will make findings as to whether the Stage 2 decision was a reasonable one or not, and accordingly decide whether to:
- a. Dismiss the complaint(s) in whole or in part;
 - b. Uphold the complaint(s) in whole or in part; and
 - c. may make recommendations.
29. 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.
30. 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.
31. **Pupil Exclusions.** Any complaint of a decision taken by the Head to exclude or require the removal of the pupil under the School's Terms and Conditions (Parent Contract) will be governed by this Stage 3 of the School's Complaints Procedure. In such circumstances, the Panel will not consider any new evidence; it may only uphold the complaint and ask the Head to reconsider the decision if they consider, having regard to the process followed by the Head, that the Head's decision to exclude / require the removal of the pupil was not a reasonable decision for the Head to have taken.

Summary of Timelines

32. 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 25 working days. Stage 3, the Appeal Panel Hearing, will be completed within a further 25 working days.
33. Please note that, for the purposes of this procedure, working days refers to weekdays (Monday to Friday), excluding bank holidays. Whilst we will endeavour to also meet these timelines during School holidays, it may be that a key member of staff is unavailable and so it may take longer to resolve a complaint, although the School will do what is reasonably practicable to avoid undue delay.
34. **COVID-19.** Whilst we will endeavour to adhere to the timelines outlined above during the COVID-19 pandemic, staff illness / absence and/or local and national lockdowns may affect our ability to do so. In such cases, we will engage with the complainants to agree reasonable timings.

Early Year Foundation Stage (EYFS) Complaints

Parents of EYFS children should follow the three stages of this Complaints Procedure. If parents remain dissatisfied and their complaint is about the School's fulfilment of the EYFS requirements, then parents may take their complaint to the ISI or Ofsted. Parents will be notified by ISI or Ofsted of the outcome of the investigation into their complaint within 28 days of the complaint being received.

The School will provide ISI/Ofsted, 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 in accordance with our Privacy Notice and Retention of Records Policy.

Parents may complain directly to Ofsted or to ISI if they believe the provider is not meeting the EYFS requirements.

Ofsted can be contacted as follows:

- Telephone: 0300 123 1231
- E-mail: enquiries@ofsted.gov.uk
- Post: Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD

ISI can be contacted as follows:

- Telephone: 020 7600 0100
- E-mail: concerns@isi.net
- Post: ISI, CAP House, 9-12 Long Lane, London EC1A 9HA

What do I do if I want to make a complaint against the Headmaster?

35. In the event that your complaint refers specifically to the Head of School, you should refer the matter in the first instance in writing to the Clerk to the Governors, c/o the School's address. The Clerk will then refer the complaint to the Chairman of Governors. The Chairman of Governors or their nominee will call for a full report from the Head and for all the relevant documents. The Chairman of Governors or their nominee 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.

36. Once the Chairman of Governors or their nominee is satisfied that, so far as is practicable, all the relevant facts have been established, the parents will be informed of the decision in writing. The Chairman of Governors or their nominee will give reasons for his/her decision.

How will we use your Personal Information

37. Following resolution of a complaint, the School will keep a written record of all complaints, whether they are resolved at the Stage 1 (informal stage), the formal stage (Stage 2) or proceeded to a Panel hearing (Stage 3), and any action taken by the School as a result of the complaint (regardless of whether the complaint is upheld).

38. 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:

- a. Date when the issue was raised
 - b. Name of parent
 - c. Name of pupil
 - d. Description of the issue
 - e. Records of all the investigations (if appropriate)
 - f. Witness statements (if appropriate)
 - g. Name and contact details of member (s) of staff handling the issue at each stage
 - h. Copies of all correspondence on the issue (including emails and records of phone conversations)
 - i. Notes and minutes of the hearing, and
 - j. The Panel's written decision
39. This may include 'special category personal data' (as further detailed in the School's Privacy Notice, 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 our Privacy Notice, Data Protection Policy, and Retention of Records Policy.
40. 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.
41. **Complaints about the way we use your Data.** Under the General Data Protection Regulation (GDPR), you have the right to lodge a complaint if you feel that we have infringed the GDPR when processing your personal data. Your first point of contact at the School should be the School's Data Protection Lead, who you can email at data@wellingboroughschool.org. The School will then do their best to rectify the matter. If you are still not satisfied with the way the matter has been dealt with, you also have a right under the GDPR to lodge a complaint with the Information Commissioners Office (ICO). You can report a concern to the ICO by calling their helpline on 0303 123 1113. The ICO should inform you of the progress and outcome of your complaint. Please see <https://ico.org.uk/concerns> for more information.

Complaints in the previous Academic Year

Wellingborough School received **1** formal complaint in the 2019-20 academic year.

Appendix 1 – Unreasonable Complaints

1. The School is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with our School. However, we will not tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.
2. We define unreasonable behaviour as that which hinders our consideration of complaints. For example, if the complainant:
 - a. refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
 - b. refuses to co-operate with the complaints investigation process whilst still wishing their complaint to be resolved;
 - c. refuses to accept that certain issues are not within the scope of the complaints procedure;
 - d. insists on the complaint being dealt with in ways which are incompatible with the complaints procedure (including timelines) or with good practice;
 - e. changes the basis of the complaint as the investigation proceeds or repeatedly makes the same complaint (despite previous investigations or responses);
 - f. fails to honour their part to the confidentiality, for example discussing / publishing details of the matter whilst the complaints process is ongoing;
 - g. refuses to accept the findings of the investigation into that complaint where the School's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education; and / or
 - h. uses threats to intimidate, abusive, offensive or discriminatory language or violence, knowingly provides falsified information, and / or publishes unacceptable information on social media or other public forums.
3. Complainants should try to limit their communication with the School that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.
4. Whenever possible, the Head or Chairman of Governors will discuss any concerns with the complainant informally before dismissing a complaint as unreasonable.
5. If the behaviour continues, the Head will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.
6. In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from the School.