

Complaints Procedure for Parents

Withington Girls' School

September 2021

WITHINGTON GIRLS' SCHOOL

COMPLAINTS PROCEDURE FOR PARENTS

Introduction

Withington Girls' School has always been proud of its positive, friendly and supportive ethos and of the quality of the teaching and pastoral care provided to its pupils. There are many people available and willing to help with any worries and difficulties that pupils might experience during their time at the School – details are given within the Pupil Planners. If parents of current pupils have a complaint, they can expect it to be treated by the School in accordance with the following Procedure.

The aims of this policy and related procedures are to provide a framework for the resolution of complaints which:

- allows for their resolution informally and sets out the School's formal procedures where this is not achievable;
- is easily accessible and publicised, simple to understand and use and impartial and non-adversarial;
- enables a full and fair investigation where appropriate;
- respects people's desire for confidentiality;
- addresses all the points at issue and provides an effective response and appropriate redress, where necessary;
- provides information to the School's senior leadership / management team so that services can be improved and any systemic issues can be identified and addressed; and
- helps to promote a culture of safety, equality and protection.

The School's Complaints Procedure for Parents is drafted in accordance with Part 7 of the Education (Independent School Standards) Regulations 2014. This policy is published on the School's website and is available in hard copy on request. This policy can be made available in large print or other accessible format if required and the School will make other reasonable adjustments required to enable complainants to access and complete this procedure, such as holding meetings in accessible locations.

The number of formal complaints received in the preceding academic year is published at the end of this policy and on the School's website.

This policy applies to any expression of dissatisfaction however made about actions taken, or a lack of action, by the School where the parent seeks action by the School. This policy does not apply to exclusions, to which the School's Expulsion, Removal and Review Policy applies.

This policy applies to complaints from a parent or parents of current pupils and to a parent or parents of former pupils if the complaint was initially raised when the pupil was registered at the School. The School will not normally investigate anonymous complaints.

If appropriate, the School will acknowledge that a complaint is upheld, wholly or in part. In addition it may offer:

- an explanation;
- an admission that it could have been handled differently or better;
- an assurance that the School will try to ensure that the event complained of will not happen again and an explanation of the steps taken in this respect;
- an undertaking to review policies and / or procedures;
- an apology.

All parents should be aware that it is not within the powers of those involved in the complaints process to make any financial award, nor to impose sanctions on staff, pupils or parents. Complaints which seek these outcomes are therefore considered to fall beyond the scope of this policy.

All parents should be aware that regardless of the nature of a complaint and whether or not it is upheld, parents are not entitled to details of any related sanctions imposed on staff, pupils or parents for reasons of data protection and confidentiality.

Attention is drawn to the information included in the Appendix which is drawn from the Department for Education's *Best Practice Advice for School Complaints Procedures 2019* and guidance issued by the Information Commissioner's Office.

Timescales

The School aims to resolve all complaints efficiently and promptly and parents are encouraged to bring any matter causing concern to the School's attention as soon as possible. Whenever possible, a complaint should be raised within three months of the incident, or where a series of associated incidents have occurred, within three months of the last of these incidents. The School will however consider complaints made outside of this time frame if exceptional circumstances apply. A complaint raised outside this timescale should therefore include details of the issues which led to the delay.

When we refer to **working days** in this policy, we mean Monday to Friday, when School is open during term time. The dates of terms are published on the School's website.

Complaints may be submitted during school holidays; timescales may vary but School will agree a timescale with parents as soon as possible during holiday periods.

Timescales for each stage of the complaints procedure are set out below in the relevant paragraphs.

- It is expected that the management of every complaint will progress in a timely manner.
- The School aims to resolve all complaints efficiently and promptly and parents are encouraged to bring any matter causing concern to the School's attention as soon as possible.
- Where there are exceptional circumstances resulting in a delay to the timescales for a stage of the complaints procedure (such as other bodies investigating aspects of the complaint), the School will notify the parents and inform them of the new timescales as soon as possible.

If a Parent commences legal action against the School in relation to their complaint, the Headmistress or Chair of Governors will consider whether or not to suspend the complaints procedure until those proceedings have been concluded.

Please note that there may be occasions when it is necessary or reasonable to deviate from this complaints procedure if this is reasonable and justified. Complainants will be notified of the changes.

Stage 1 – Informal Resolution

It is hoped that most complaints will be resolved quickly and informally.

- If parents have a complaint they should normally contact their daughter's Form Tutor. In many cases, the matter will be resolved quickly by this means to the parents' satisfaction. If the Form Tutor cannot resolve the matter alone, it may be necessary for her/him to consult the Head of Year or a Head of Department or member of the Senior Leadership Team. The Senior Leadership Team is comprised of the Headmistress, Deputy Head, Director of Studies, Assistant Head, Head of Junior School and the Bursar.
- Complaints made directly to a Head of Year, Head of Department or a member of the Senior Leadership Team will usually be referred to the relevant Form Tutor or Subject Teacher, unless the Head of Year, Head of Department or member of the Senior Leadership Team deems it appropriate for them to deal with the matter personally.

- An informal complaint will be acknowledged by telephone, email or letter within 3 working days of receipt, indicating the action that is being taken and the likely timescales. Such action may include an investigation and/or a meeting with the parent.
- Wherever appropriate, the School will ask the parent at the earliest stage what they think might resolve the issue.
- The person dealing with the complaint will make a written record of all complaints and the date on which they were received.
- The parent will usually receive a response to the complaint within 15 working days.
- If the parent is dissatisfied with the response to the informal complaint or in the event that the complaint cannot be resolved by informal means, the parent may make a formal complaint under Stage 2 of this Procedure.

Complaints about the Headmistress

The procedure for dealing with an informal complaint about the Headmistress is as follows:

- Parents may choose to raise complaints directly with the Headmistress if they feel that the matter is capable of resolution informally. The complaint may be raised orally or in writing - if in writing, the School will not automatically treat the complaint as a formal (Stage 2) complaint and the Headmistress will endeavour to resolve the complaint informally under Stage 1.
- The Headmistress will acknowledge informal complaints within 3 working days and will seek to resolve the matter under this Stage 1 by means of direct conversation or a meeting with the parents, to be held within 15 working days of the initial complaint.
- If the parent is dissatisfied with the Headmistress's response to the informal complaint or in the event that the complaint cannot be resolved by informal means, the parent may make a formal complaint under Stage 2 of this procedure.

Alternatively, parents may choose to make their complaint about the Headmistress in writing to the Chair of Governors via the Clerk to the Governors. In this case, the complaint will be treated as a formal complaint under Stage 2 of this procedure.

Complaints about the Governors

Complaints about the Chair of Governors, any individual governor or the whole Board of Governors should be addressed to the Clerk to the Governors via the School office. Please mark them as Private and Confidential.

Stage 2 – Formal Resolution

- Complaints will usually only progress to Stage 2 after first being considered at the informal stage and only then if the parent indicates that they intend to escalate a matter to the formal stage.
- A formal complaint should be in writing addressed to the Headmistress usually within 15 working days from receipt of the response to their complaints and should include: the complainant's name, a copy of any relevant documents, full contact details of the complainant and details of the complaint and who it has previously been raised with and the outcome desired.
- The complaint will be acknowledged by telephone, email or letter within 3 working days, indicating the action that is being taken and the likely timescales. The Headmistress will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Headmistress will meet with the parents concerned, normally within 7 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 further investigations to be carried out and the Headmistress may ask a senior member of staff to act as investigator and / or may involve one or more Governors. The investigator may request additional information from the parents and will probably wish to speak to them personally and/or others with relevant knowledge of the circumstances. Where the investigation is conducted by someone else they will prepare a report on the investigation which will usually then be considered by the Headmistress.

- Written records will be kept of all meetings and interviews held in relation to the complaint. Personal data may be redacted and names anonymised or cyphered in line with data protection principles
- Once the Headmistress 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 Headmistress will also give reasons for her decision. The Headmistress will notify the parents with her decision within 20 working days of receipt of the formal complaint.
- If parents are dissatisfied with the Headmistress's decision, they should request that the complaint be referred to a Complaints Panel under Stage 3 of this Procedure.

Complaints about the Headmistress

The procedure for dealing with a formal complaint about the Headmistress is as follows:

- The complaint should be put in writing to the Chair of Governors (via the Clerk to the Governors). The complaint should include the same information referred to above.
- The Chair of Governors (via the Clerk to the Governors) will acknowledge the complaint by telephone, email or letter within 3 working days of receipt and indicate the action that is being taken and the likely timescale. Such action may include an investigation and/or a meeting with the parent. The parent will usually receive a response to the complaint within 20 working days.
- If the parent is dissatisfied with the response to the complaint, the parent can request that the complaint be referred to a Complaints Panel under Stage 3 of this procedure.

Stage 3 – Panel Hearing

- If a parent is dissatisfied with the Stage 2 response, the parent can request a Complaints Panel Hearing. A Complaints Panel Hearing (**Hearing**) is a Hearing to review those elements of the decision made at Stage 2 about which the parent remains dissatisfied.

How to request a Hearing

- A request for a Hearing must be put in writing to the Clerk to the Governors. It is expected that the complaints procedure will progress in a timely manner and parents should make the request within 5 working days of the decision complained of. The request will usually only be considered if the procedures at Stages 1 and 2 have been completed and the Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.
- The written request should include the complainant's name and full contact details, copies of any relevant documents which the parent would like the panel to consider, details of those aspects of the complaint about which the parent remains dissatisfied and the desired outcome. Parents should also confirm whether they wish to attend the hearing and, if so, whether they propose to be accompanied.
- If assistance with the request is required, for example because of a disability, please inform the Clerk to the Governors who will be happy to make appropriate arrangements.
- The Clerk to the Governors will acknowledge the request for a Hearing within 3 working days of receipt and will convene the Panel. Every effort will be made to enable the Hearing to take place within 15 working days of receipt of the request.
- Parents may withdraw their request for a Hearing at any point up to and including the intended date of the Hearing.

Planning the Hearing

- The Clerk to the Governors will send written notification to each party of the date, time and place of the Hearing at least 10 working days before the date of the Hearing.
- Copies of additional documents that the parent wishes the Panel to consider should be sent to the Clerk to the Governors to be received at least 7 working days prior to the Hearing.

- 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. The Clerk will circulate a copy of the bundle of documents to be considered by the Panel to all parties not later than 3 working days prior to the Hearing.
- The parent may be accompanied to the Hearing by a relative or friend. The Hearing is an internal proceeding, not legal proceedings, and so legal representation is not necessary. The Clerk to the Governors must be given 5 working days' notice if the friend or relation is legally qualified. The parent should note that the Panel will wish to speak to him/her directly. The legally qualified person will not be permitted to act as an advocate or to address the Hearing unless invited to do so by the Chair of the Panel.
- A person will be appointed to take a minute of the Hearing.

Composition of the Complaints Panel

- The Complaints Panel will comprise at least three individuals who have no detailed prior knowledge of the circumstances of the complaint, including at least one Panel member who is independent of the management and running of the School.
- The parent may ask the Clerk to the Governors to inform them who has been appointed to sit on the Complaints Panel ahead of the Hearing.
- The Panel members will choose one of themselves to be the Chair of the Panel.

Role of the Complaints Panel

- The role of the Panel is to establish the facts surrounding the complaints that remain in issue by considering:
 - the documents provided by both parties and
 - any representations made by the parties
 to review the process and the decision reached at stage 2, and to consider, on the balance of probabilities, whether or not to uphold each complaint.

The Hearing

- Unless prior to the commencement of the Hearing, a parent confirms that they are satisfied with the outcome of their complaint, the Hearing will proceed notwithstanding that the parent may decide not to attend. In these circumstances, the Complaints Panel should consider the parent's complaint in his/her absence and issue findings on the substance of the complaint.
- The Hearing will be conducted in an informal manner. The parties shall have the opportunity to ask questions and make comments in an appropriate manner. The Hearing is not legal proceedings and the Panel shall be under no obligation to hear oral evidence from witnesses to the issues complaints of but may do so and / or may take written statements into account.
- All statements made at the Hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes.
- All those attending the Hearing are expected to show courtesy, restraint and good manners. If they fail to do so and, after due warning, the Hearing may be adjourned or terminated at the discretion of the Chair. Any person who is dissatisfied with any aspect of the way the Hearing is conducted must say so before the proceedings go any further and his / her comment will be minuted.
- The Chair may, at his / her discretion, adjourn the hearing if he/she considers it appropriate to do so. This may include an adjournment for welfare reasons, to enable additional information to be obtained and/or considered or for the parties to take legal advice on a specific issue arising.
- A Hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be made available directly or indirectly to the press or other media.

Decision

- The Complaints Panel will make findings about each complaint on the balance of probabilities and may make recommendations about these issues.

- It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, pupils or parents. The Panel may make recommendations on these matters or any other issues to the Headmistress and / or to the Board of Governors.
- The Panel's findings and any recommendations will usually be provided in writing to the parents and, where relevant, the person complained about, within 7 working days of the Hearing.

Next steps

- The decision of the Panel is final. There will be no further opportunity within the School for consideration of the complaint. The completion of Stage 3 represents the conclusion of the School's complaints procedure.
- The School will however ensure that the panel decision is recorded appropriately and that any recommendations made in the course of a complaint are properly considered and actioned as appropriate.
- The complaints panel's findings and any recommendations including any actions taken to implement them will also be made available for inspection on the School premises by the Board of Governors and the Headmistress.

The completion of Stage 3 represents the conclusion of the School's complaints procedure.

Record keeping and confidentiality

All records created in accordance with this policy are managed in accordance with the School's policies that apply to the retention and destruction of records.

A written record will be kept of all formal complaints and of whether they have been resolved at the Stage 2 or have proceeded to a Panel Hearing including the action taken by the School as a result of the complaints (regardless of whether they are upheld).

Parents can be assured that all complaints will be treated seriously and confidentially. 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 108 or 109 of the Education and Skills Act 2008, requests access to them or where disclosure is required under other legal authority or court order.

The records created in accordance with this policy may contain personal data. The School has a number of privacy notices which explain how it will use personal data about pupils and parents. The privacy notices are published on the School's website.

School staff will ensure that they follow the School's data protection policies and procedures when handling personal data created in connection with this policy. This includes the School's information security policy.

In accordance with data protection principles, details of individual complaints will be kept only for as long as is considered to be reasonably necessary in the circumstances.

Complaints to the Independent Schools Inspectorate

ISI can be contacted at concerns@isi.net or on 020 7600 0100.

Training

The School ensures that regular guidance and training is arranged on induction and at regular intervals thereafter so that staff and volunteers understand what is expected of them by this policy and have the necessary knowledge and skills to carry out their roles.

The level and frequency of training depends on the role of the individual member of staff.

The School maintains written records of all staff training.

Effective date of the policy	September 2021
Date of last review	Summer 2021
Date of next review	Summer 2022

**WITHINGTON GIRLS' SCHOOL
COMPLAINTS PROCEDURE FOR PARENTS**

Circulation	Governors / teaching staff / all staff / parents / pupils on request
Status	Mandatory

There was one complaint registered at stage 2 in the year ending 31st August 2021.

Appendix Unreasonable complaints

We are 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 us. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Unreasonable complaints are taken seriously by the School as they put a strain on valuable resources and hinder the progress of proper investigations.

We adopt the Department for Education definition of unreasonable behaviour which hinders our consideration of their or other people's complaints because of the frequency or nature of the complainant's contact with the School, such as if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where our complaint procedure has been fully and properly implemented and completed;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate;
- uses abusive, offensive or discriminatory language;
- knowingly provides falsified information;
- publishes unacceptable information social media websites and other public forums.

A complaint may also be considered unreasonable if it is manifestly unjustified, inappropriate, or an improper use of formal procedure.

In assessing this, the School shall have regard to all the circumstances of the case and the nature of the complaint itself rather than the nature of the complainant. In assessing all of the circumstances of the case the School will consider a range of factors including:

- whether a complaint has reasonable foundation;
- the history and context of the complaint (and any evidence where relevant);
- whether the time and cost of investigating the complaint is proportionate to the issue(s) complained of;
- whether an investigation of the complaint is likely to cause a disproportionate or unjustified level of disruption, irritation or distress;
- unexplained delay in raising a complaint or issue;
- if the complainant is seeking an outcome which is unavailable via the complaints policy, such as a claim for compensation, damages or a refund of fees paid;
- any evidence of a complaint being brought for an improper purpose.

Whenever possible, the Headmistress will discuss any concerns with the complainant informally before dismissing a complaint as unreasonable. The Headmistress will normally only do so after consultation with the Chair of Governors.

If the behaviour continues, the School 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, the school may specify methods of communication and limit number of contacts in a communication plan. This will be reviewed after 6 months.

In response to any serious incident of aggression or violence, the School will immediately inform the police and communicate its actions in writing. This may include barring an individual from the School.