

WINDLESHAM HOUSE SCHOOL
PROCEDURE: COMPLAINTS

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Policy: 01-11

Responsible Governor: Martina Asmar

Responsible Member of Staff: Bursar, Emma Harris

Summary Policy Statement: *Any complaint against Windlesham will be dealt with in a fair, open and responsive way, with the aim of achieving a speedy and satisfactory resolution. Windlesham recognises that a willingness to listen to questions and criticism and to respond positively, can lead to improvements in school practices and provision for pupils. To that end we welcome feedback to which we respond in a structured way.*

This policy is available on the school's website www.windlesham.com or by request to the Bursar.

This policy also applies to our Early Years Foundation Stage and after school care and is supported by the Procedure found in Annex A

1) Reporting on Compliance and Effectiveness

A yearly report will be given to governors on complaints and their outcomes.

2) Explanation

We welcome feedback from parents, children and the local community. This can be via email, letter or face to face meetings with a member of staff. The feedback will be shared appropriately and stored centrally in the Headmaster's office. We consider all feedback whether it is compliment, comment or complaint. However, we maintain a specific procedure (attached) relating to complaints since it is important that the channels be easily accessible.

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Annex A

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1) Complaints Procedure

Windlesham has long prided itself on the quality of the teaching and pastoral care provided to its pupils. We welcome suggestions and comments from members of the public, parents or carers, and take seriously any public, parental or care provider concerns that arise.

Windlesham makes its complaints procedure available to all parents of pupils and of prospective pupils on the School's website and in the Front office during the school day. A copy of the procedure can also be made available in larger print or more accessible print if required.

In accordance with the Education (Independent School Standards) Regulations 2014 (as amended), Windlesham will 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.

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.

Complaints by parents of former pupils will be dealt with under this Complaints Procedure only if the complaint was initially raised when the pupil to which the complaint relates was still registered as a pupil at the school. 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 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 removal of a pupil.

"Parent(s)" means the holder(s) of parental responsibility for a current pupil about whom the complaint relates.

The complaints procedure also applies to our Early Years Foundation Stage, Boarding pupils and after school care.

2) What Constitutes a Complaint?

A 'concern' may be treated as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A complaint is an expression of dissatisfaction, with a real or perceived problem. It may be made about Windlesham 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 Windlesham has done something wrong, failed to do so something that it should have done or has acted unfairly.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Windlesham 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.

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3) The Three-Stage Complaints Procedure

Stage 1 - Informal Resolution

- a) It is hoped that most complaints and concerns will be resolved quickly and informally, by speaking with the person best able to address the issue as follows:
- i) *Education Matters:* If the complaint relates to the classroom, the curriculum or special educational needs, please discuss it with your child's form tutor in the first instance. If the concern relates to the form tutor, please contact the Assistant Head Academic.
 - ii) *Pastoral Care:* If the concern relates to a matter outside the classroom, please contact your child's House Parents in the first instance who will refer you to the Deputy Headmaster or the Headmaster if necessary or if you wish. If the complaint relates to House Parents, please refer directly to the Deputy Headmaster or the Headmaster.
 - iii) *Disciplinary Matters:* A concern about disciplinary matters should first be raised with one of the House Parents who may refer to the member of staff who imposed the sanction. If unresolved you will be referred to the Deputy Headmaster or Headmaster.
 - iv) *Financial matters:* A concern or complaint about matters relating to fees or extras should be addressed to the Bursar.
- b) If your complaint relates directly to the Headmaster, the Chair of Governors should be contacted directly via the Bursar's Office.

The member of staff receiving the concern or complaint will make a written record of the date on which it was received. Should the matter not be resolved within five working days or in the event that the 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 two of this Complaints Procedure.

Stage 2 – Formal Resolution

- a) If the complaint cannot be resolved on an informal basis, then the parents should put their complaint (written formal complaint) in writing to the Headmaster. The Headmaster will decide, after considering the complaint, the appropriate course of action to take and may consult with the Chair of Governors in the process.
- b) In most cases, the Headmaster (or his nominee if deemed appropriate depending on the area of complaint) will meet/speak to the parent concerned within five working days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- c) It may be necessary for the Headmaster (or nominee) to carry out further investigations.
- d) The Headmaster (or nominee) will keep written records of all meetings and interviews held in relation to the complaint.
- e) Once the Headmaster 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 Headmaster will also give reasons for his decision. In most cases, the Headmaster will make his decision and provide the parents with reasons within 15 working days of the complaint being put in writing.
- f) If the complaint is against the Headmaster, the complaint should be made to the Chair of Governors. The Chair of Governors or their nominee will call for a full report from the Head and for all relevant documents. The Chair of Governors or their nominee may also call for a briefing from members of staff and will if appropriate, speak to or meet with the parents to discuss the matter further. Once the Chair of Governors or their nominee 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 of Governors or their nominee will give

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reasons for his decision. Windlesham's target is to complete this stage of the procedure within 28 days during term time and as soon as practicable during holiday periods.

- g)** If the complaint cannot be resolved on an informal basis or stage 2 and the parent remains dissatisfied, then they should proceed to Stage 3 by writing to the Bursar. Their written complaint should outline the nature of the complaint, why they remain dissatisfied and the resolution sought.

Stage 3 – Panel Hearing

- a)** If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they should do so in writing to the Bursar within 5 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. In the event that the complaint is against the Bursar, the complaint should be submitted to the Compliance Officer who will take on the responsibilities of the Bursar set out below.
- b)** The Bursar will refer the appeal to a Complaints Panel for consideration. The Panel will consist of three people not directly involved in the matters detailed in the complaint: two Governors other than the Chair plus one member who is independent of the management and running of Windlesham. The Complaints Panel will appoint one of the Panel members to act as Chair of the Panel. The Bursar, on behalf of the Panel, will then acknowledge the complaint within 5 working days and schedule a hearing to take place within 15 working days.
- c)** 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 five working days prior to the hearing.
- d)** The panel has the flexibility to meet 'virtually' should extenuating circumstances mean that meeting in person is not permissible within the timescales.
- e)** 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 or friend. Legal representation will not normally be appropriate. The Panel will decide whether it would be helpful for witnesses to attend.
- f)** The manner in which the hearing is conducted shall be at the discretion of the Panel.
- g)** In advance of the hearing, parents and the Headteacher will provide the name of any person accompanying them, their relationship to them and whether they will be making a representation.
- h)** If possible, the Panel will resolve the complainants' complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.
- i)** After due consideration of all facts they consider relevant, the Panel will reach a decision as to whether or not the stage 2 decision was a reasonable one and accordingly decide whether to:
- Dismiss the complaint(s) in whole or in part
 - Uphold the complaint(s) in whole or in part and
 - May make recommendations
- j)** 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 necessary to carry out further investigations following the hearing). The decision of the Panel will be final.
- k)** 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 Chair of Governors and the Headmaster.
- l)** 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 Headmaster.

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- m)** Any complaint of a decision taken by the Headmaster to exclude or require the removal of the pupil will be governed by this stage 3 of the complaints procedure.
- n)** If a parent decides not to attend the Stage 3 (Panel Hearing), but does not wish to withdraw their complaint, Windlesham will convene a meeting in their absence to consider the complaint and bring the matter to a conclusion. The decision of the Panel will be final and the complainants will be advised of the outcome in writing within 10 days of the panel hearing.

4) Timeframe for Dealing with Complaints

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 each stage of the procedure as set out above. Please note that, for the purposes of this procedure, working days refers to weekdays (Monday to Friday) during term time, excluding bank holidays. This means that during School holidays it may take longer to resolve a complaint although Windlesham will do what is reasonably practicable to avoid undue delay.

It may also take longer to resolve a complaint during periods of significant disruption to School life or as a consequence of unavoidable staff absence, however deviation from the normal timescale for resolving a complaint during term time will only be permitted on an exceptional basis, and the School will take all reasonable steps to limit any such delay.

5) Persistent Correspondence

Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, this may be regarded by Windlesham as vexatious and outside the scope of this procedure.

6) Recording Complaints and Use of Personal Data

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

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:

- 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 and contact details 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)
- Notes/minutes of the hearing, and
- The Panel's written decision

This may include 'special category personal data' (as further details in the Schools' Data Protection Policy), 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.

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The School will keep records of formal complaints and Complaints Panel hearings, as required by regulation. It will do so in accordance with its Privacy Notice, Data Protection Policy and Retention of Records Procedure.

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.

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 if the investigation into their complaint within 28 days of the complaint being received.

Windlesham 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 Procedure.

Parents may complain directly to Ofsted or to ISI if they believe the provider is not meeting the EYFS requirements. Contact details are as follows:

Ofsted
Piccadilly Gate, Store Street, Manchester, M1 2WD
Tel: 0300 123 1231
Email: enquiries@ofsted.gov.uk

Boarders and their parents can contact the Independent Schools Inspectorate (Ground Floor, CAP House, 9-12 Long Lane, London, EC1A 9HA; 020 7600 0100, concerns@isi.net) regarding any complaint concerning their welfare.

Windlesham House School received 0 written formal complaints during 2019-2020, 0 during 2020-21 and 0 during 2021-22.

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Annex - Overview of Complaints Process Stages and Timings

