



WARMINSTER SCHOOL

COMPLAINTS POLICY

Date of Issue: 1 September 2020
Date of Review: 1 January 2022
Responsible Person: Bursar & Clerk to the Governors
References:

A: The Education (Independent School Standards) Regulations 2014 (ISS Regulations)

B: Boarding Schools: National Minimum Standards April 2015

C: ISI Handbook for the Inspections of Schools – Commentary on the Regulatory Requirements January 2017

D: The Early Years Foundation Stage: Statutory Framework February 2018

E: Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015.

INTRODUCTION

Warminster 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. The 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. The procedures apply to past pupils if the complaint was initially raised when the pupil was still registered, but it does not cover exclusions. (Exclusions are the subject of a separate policy). The 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 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 24(3)(g) of Schedule 1 to the Education (Independent School Standards) (England) Regulations 2010, Warminster 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

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the ISI for the purposes of section 162A(1) of the Education Act 2002 (as subsequently amended), 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. A complaint is likely to arise if a parent believes that the School has done something wrong, or failed to do so something that it should have done or acted unfairly.

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, 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 Tutor. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction.
- If the Tutor cannot resolve the matter alone it may be necessary for him/her to consult with other members of staff including boarding staff, subject staff and/or a member of the Leadership Team.
- Complaints made directly to a Tutor will usually be referred to the relevant Head of Department or Housemaster/mistress (as applicable) unless the Tutor deems it appropriate for him/her to deal with the matter personally.
- The 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 7 days or in the event that the 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 Chairman of Governors.

Stage 2 - Formal Resolution (outer time-frame)

- 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 to or meet the parents concerned, normally within 7 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 his decision.

- If the complaint is against the Head, the Chairman of Governors will call for a full report from the Head and for all the relevant documents. The Chairman 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 Chairman is satisfied that, so far as is practicable, all of the relevant facts have been established, the parents will be informed of the decision and actions taken (if any) in writing. The Chairman will give reasons for his decision.
- A written record of all formal written complaints under Stage 2 will be kept together with the outcome (resolved or proceeding to panel hearing) and the action taken by the school as a result of these complaints.
- As indicated under Timeframe for Dealing with Complaints, the School's target is to complete Stage 2 within 28 days (20 working days) or as soon as is practicable if the complaint is made during the school holiday period.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.
- A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the school premises by the Chairman of Governors and the Head.

Stage 3 - Panel Hearing

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they will be referred to the Bursar 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. The Bursar, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 14 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 normally not later than 7 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, normally within 7 days of 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 the Chairman 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 Chairman of Governors and the Head.

Timeframe for Dealing with Complaints

All complaints will be handled seriously and sensitively. They will be acknowledged within five 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 28 days if the complaint is lodged during term-time and as soon as practicable during holiday periods.

Stage 3, the Appeal Panel Hearing, will be completed within a further 28 days, if the appeal is lodged during term-time and as soon as practicable during holiday periods.

Recording Complaints

Following resolution of a complaint, the School will keep a written record of all formal complaints and whether they are resolved at 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). A copy of the findings and recommendations is available for inspection on the school premises by the Governors and Headmaster. 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.

Notes

WRITTEN COMPLAINTS RELATING TO THE REQUIREMENTS UNDER THE STATUTORY FRAMEWORK FOR THE EYFS (Early Years' Foundation Stage – Nursery to Reception):

Warminster 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 for at least three years.

Written complaints will be investigated and the complainant notified of the outcome of the investigation within 28 days (20 working days) or as soon as is practicable if the complaint is made during the school holiday period. (see timeframe for dealing with complaints).

COMPLAINTS TO OFSTED REGARDING EYFS SERVICE PROVIDERS:

Parents may also complain directly to Ofsted if they wish. Ofsted may be contacted on 0300 123 4234 or by email: enquiries@ofsted.gov.uk

COMPLAINTS TO ISI REGARDING EYFS SERVICE PROVIDERS:

Parents may also complain to ISI if they wish. ISI may be contacted on 020 7600 0100 or by email: concerns@isi.net

ALTERNATIVE DISPUTE RESOLUTION

With effect from 1 October 2015, schools are required by The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015 ('the ADR Regulations') to provide parents at conclusion of the final stage of the complaints procedure with the name and address of a certified alternative dispute resolution (ADR) entity (such as a mediation or arbitration body) which would be competent to deal with any unresolved dispute, should both parties wish to engage in ADR.

Schools are not currently required to enter into ADR. Thus at the conclusion of the final stage of the complaints procedure, the school will provide details of an alternative dispute resolution provider who has been certified by the Chartered Trading Standards Institute as competent to resolve consumer disputes. However, the School is not obliged to enter into alternative dispute resolution and unless the specific circumstances are deemed to warrant it, the school will not enter into the ADR process.