

Staines Preparatory School



Complaints Procedure

September 2023

Introduction

SPS has long prided itself on the quality of the teaching and pastoral care of its pupils. The School encourages contact between parents and staff and endeavours to deal with any matter about which a parent of a pupil is unhappy and seeks action. It recognises that parents may, from time to time, have concerns about the progress, achievement, behaviour or welfare of their son or daughter. Parents are encouraged to make those concerns known to staff so that they can be addressed in partnership with the school.

The School will take all concerns and complaints seriously and will make every effort to deal with complaints informally, at an early stage, in the spirit of continued respect and partnership.

For the purposes of this procedure, concerns are defined as having a worry or doubt over an issue considered to be important for which reassurances are sought. A complaint can be any matter about which a parent/carer is unhappy and seeks action by the School.

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 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.

It is hoped that all complaints can be dealt with swiftly and effectively without the need for any formal measures. Nevertheless, it is recognised that, from time to time, parents may have complaints of a more serious nature, which they can expect to be treated by the School in accordance with this Procedure. The complaints procedure does not apply to prospective parents. However, the complaints procedure does apply to past pupils if the complaint was initially raised when the pupil was still registered at SPS.

This policy deals with concerns or complaints from parents of current pupils and parents of former pupils provided the complaint was initially raised when the pupil was still registered at the School.

Matters falling outside of this policy

- This procedure does not apply to safeguarding concerns, which are managed under the School's Safeguarding Policy and is distinct from formal staff disciplinary, grievance or capability proceedings.
- This policy does not cover exclusions. (*Please see Exclusion, Expulsion and Removal Policy*)
- Appeals regarding a permanent exclusion, required removal and suspension are managed in accordance with Stage Three of this procedure.
- Appeals against admissions are managed under the admissions policy
- Where the complaint concerns a third party or service used by the school please complain directly
- For 'Subject Access Request's please see the Data Protection Policy Data
- For whistleblowing complaints, please refer to the whistleblowing policy on the School website

The Complaints Procedure is available on our website and a hard copy can be provided upon request.

This is a three-stage process. In most cases, any concern or complaint, regardless of whose attention to whom it is initially brought, should be discussed informally at Stage One, before being submitted to a formal process. Complaints concerning the Headmistress may proceed directly to formal process at Stage Two and will be managed by the Chair of Governors.

The timescale for making a complaint

All complaints will be handled within clear and reasonable timescales. 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 the School will do what is reasonably practicable to avoid undue delay. Timescales for investigating and/or responding to a complaint may also need to be extended in the event of a force majeure, a pandemic or as the result of enforced government restrictions. The School will inform parents if there is to be a delay to the anticipated timescales, for instance

because of disruption to the School, staff absence or site closure. Parents are expected to proceed with their complaint in a timely and reasonable manner. To enable effective review, the School therefore expects complaints to be raised within 3 months of an issue arising. Complaints outside this timeline will only be considered in exceptional circumstances. These may include (but are not limited to) subsequent information about the complaint coming to light and a valid explanation of why it was not possible to give notification of the complaint sooner. In such cases the Headmistress/Chair of the Governing Body/Clerk to the Governing Body (as appropriate) will review the circumstances, may seek advice, and determine whether the complaint is to be considered under this policy. It is also expected that if parents wish to escalate their complaint to the next stage of the procedure, they will generally do so within 10 working days of the conclusion of the current stage. Depending upon the circumstances, the School may, acting reasonably, treat a complaint as closed if a parent has not proceeded within this timeframe.

Maintaining records

Notes may be made to support the informal management of complaints and the School may also keep an informal record of any meeting held or any agreed action to be taken. Records taken and used throughout the complaints process, including correspondence, notes of meetings, telephone calls etc., will be kept securely and in accordance with the principles of the General Data Protection Regulation (GDPR) and Data Protection Act 2018. The record of complaints is kept for at least 7 years and may be kept for longer if there is a safeguarding aspect to the complaint. The number of complaints registered under the formal procedure during the preceding school year is available on request from the Bursar (maintaining confidentiality). Correspondence, statements and records relating to individual complaints are kept strictly confidential except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access to them. Concerns and complaints will therefore be dealt with confidentially at all stages and at the conclusion of the procedure.

Confidentiality should be maintained all times by everyone involved. Complaints are not to be discussed externally by parents, including via social media.

Actions taken in relation to School staff that arise from complaints will remain confidential to the School and the member of staff concerned.

Safeguarding

Wherever a concern indicates that a child's wellbeing or safety is at risk, the School is duty bound to act on this which may include reporting this immediately to the local authority. Any action taken will be in accordance with the School's Child Protection and Safeguarding Policy

Stage One - Informal Resolution

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

If a parent has an educational or pastoral complaint, they should normally contact their child's Form or Subject Teacher at the earliest opportunity. Queries regarding financial matters should be referred to the Bursar. In many cases, the matter will be resolved immediately to the parents' satisfaction by this means.

If the Form/Subject Teacher cannot resolve the matter alone, it may be necessary for them to consult a more senior member of staff (Co-ordinator, their Head of Lower or Upper School, Deputy Head) dependent upon the nature of the complaint.

Concerns or complaints made directly to a senior member of staff will usually be referred to the relevant Form or Subject Teacher unless the person to whom the complaint was made deems it appropriate for them to deal with the matter personally, this includes the Headmistress.

Where parents feel a concern or complaint has not been dealt with adequately by a Form/Subject Teacher they may wish to consult a senior member of staff still at an informal level.

The Form/Subject Teacher or senior member of staff will make a written record, to be held on file, of all serious concerns and complaints and the date on which they were received.

Should the matter not be resolved within a reasonable time (not exceeding 10 working days) or in the event that the relevant staff and the parent fail to reach a satisfactory resolution, then parents will be advised to proceed with their concern or complaint in accordance with Stage Two of this Procedure. In extenuating circumstances time frames may be extended by both parties.

The School does not give consent for Electronic recordings of discussions or School meetings between parents or guardians and an employee at School. Any such recordings will not be admitted as evidence in a complaint.

Complaints about a member of staff or the Headmistress

Where a complaint is about a member of staff, the Headmistress will investigate or will delegate responsibility to investigate to a senior member of staff (Deputy or Assistant Head for example).

Where the subject of the complaint is the Headmistress, the complainant should notify The Chair of Governors (chairman@stainesprep.co.uk). The formal, Stage Two process will then commence, but with the Chair of Governors (or such other Governor as may be nominated by the Chair of Governors) as the individual responsible for the investigation, rather than the Headmistress.

For reasons of confidentiality, complainants will not be informed of the outcome of any disciplinary action against any member of staff, arising from a complaint.

Although all formal complaints will be made in writing, this does not mean that the formal stage is automatically triggered whenever a concern is expressed in writing, for example, by email. Complaints will usually only progress to the formal stage after first being considered at the preliminary stage and only then if the complainant intends to escalate the matter to the formal stage.

Mediation meetings may be helpful in resolving issues of concern or in mending relationships and moving forward in partnership with parents/carers however these sit outside of the formal complaints process.

Stage Two - Formal Resolution

Investigation and Response

By the Headmistress or Chair of Governors if the complaint is about the Headmistress

1. A request for a formal investigation of a complaint by the Headmistress (or Chair of Governors if the complaint concerns the Headmistress) should be made in writing, or by completing the formal complaints form that is included as Appendix 1 of this procedure. The Headmistress (or Chair of Governors) will decide, after considering the complaint, the appropriate course of action to take.

2. The Headmistress (or Chair of Governors) will acknowledge the request in writing, no later than 10 working days (excluding those that fall in the school holidays) of receiving it. The written acknowledgment will, as far as possible, explain how the complaint will be investigated, the timescale for completing any necessary investigation and delivering a response.

3. A log of all correspondence in relation to the complaint will be kept in accordance with the Data Protection Principles.

4. It may be necessary for the Headmistress (or Chair of Governors as appropriate) to carry out further investigation. In Investigating, the Headmistress (or Chair of Governors) will consider all evidence they consider relevant. This may include, but is not limited to:

- obtaining statements from the complainant and those involved with the complaint
- meeting/speaking with the complainant and those involved in the complaint
- reviewing relevant correspondence and other documents relating to the complaint

5. After considering all matters the Headmistress/Chair of Governors considers relevant, the Headmistress/Chair of Governors can decide to:

- uphold the complaint and direct that certain action be taken to resolve it
- uphold the complaint in part (in other words find an aspect or aspects of the complaint to be valid, but not the whole complaint) direct for certain action to be taken, or
- dismiss the complaint entirely

6. The Headmistress (or Chair of Governors) will inform the complainant of their decision in writing, the grounds on which it was made, and any actions taken as a result of the complaint. Wherever reasonably practicable, this will be within 10 working days (excluding those that fall in the school holidays) of having issued written acknowledgement of receipt of the complaint (see 2 above) or, if later, within 10 working days after any meeting or speaking with the parents to discuss the Stage Two complaint.

In extenuating circumstances time frames may be extended.

The written notification shall also advise the complainant of their right to escalate the complaint to Stage Three of the formal complaints procedure if they are not satisfied with the outcome at Stage Two, including the contact details of the Clerk to the Governing Body.

7. Parents may request a review at Stage Three of the procedure within 10 working days of receipt of the Stage Two outcome letter.

8. If the parent does not invoke a Stage Three review within this timeframe the school may, acting reasonably, deem the complaint closed.

Stage Three - Panel Hearing

Review by the Governing Body Complaints Panel

The complainant is entitled to request a review of the decision and the actions taken at Stage Two. The review is carried out by a complaints panel, at a meeting convened by the Clerk to Governors and provides an opportunity for the complaint to be heard afresh. Requests for a review of the decision taken at Stage Three should be made in writing to the Clerk no later than 10 working days after receipt of written notification of the decision at Stage Two.

The request should include a summary of the complaint, why the complainant is dissatisfied with the outcome of Stage Two and the outcome they are seeking. The Clerk will convene a meeting of the complaints panel and will organise the time and date of the Stage Three review meeting, inviting all the attendees, collating all the relevant documentation and distributing this to all parties, no less than 5 working days in advance of the meeting. Minutes of the review meeting will be taken by the Clerk and provided with the written notification of the decision taken at Stage Three (see 9 below). The following steps are taken at Stage Three.

1. The Clerk will acknowledge the written request for the complaint to be reviewed no later than 10 working days (not including the school holidays) after receiving it.

2. The Clerk will convene a panel of three people who were not directly involved in the detail of the complaint, one of which must include one independent of the running and management of the school to review the complaint. See Appendix Two for explanation of Independent Panel Member.

3. 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 meeting or further investigation be carried out. Copies of such particulars shall be supplied to all parties usually not later than 5 working days prior to the meeting or 3 working days if requested after receipt of the full pack of documents.

4. The review meeting will take place within 20 working days (excluding those which fall in the school holidays) of receipt of the written acknowledgement from the Clerk (see 1 above).

5. The review meeting is not a court case and will be as informal as circumstances allow and conducted in such a manner as at the discretion of the Panel. The meeting may be convened remotely or face to face within school. The Panel members are not legally trained and therefore cannot making findings as to points of law.

6. The panel may speak with the following, either as part of the review meeting, or as part of any further investigation:

- the complainant
- the Headmistress (or Chair of Governors as appropriate) who investigated the complaint and made the decision at Stage Two
- relevant persons involved the complaint
- persons whom, in the view of the panel, can provide relevant advice and information relating to the subject of the complaint and the review process at Stage Three

7. Where the complainant, Headmistress and/or relevant person involved in the complaint have been invited to attend the review meeting, they are entitled to be accompanied by a family member / friend / representative as appropriate. However, legal representatives are not permitted to attend the review meeting.

8. The parents may attend and be accompanied at the panel meeting by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not be appropriate. The parents should notify the Clerk at least 3 working days in advance of the hearing of the name and occupation of an accompanying person (if relevant).

9. The Panel meeting will go ahead unless the complainant indicates that they are satisfied and do not wish to proceed further. A Panel meeting may proceed notwithstanding the complainant may subsequently decide not to attend, in which case, the Panel will consider the complaint in absentia and issue findings on the substance of the complaint, thereby bringing the matter to a conclusion.

10. Where the complaint is about a governor itself, the complainant may request that the review meeting is held by an independent panel. This is at the discretion of the Chair of Governors who will notify the Clerk of their decision. Where an entirely independent panel is required, timescales may be affected while the school source appropriate individuals for the review.

11. 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, and may undertake any such further investigation, and ask for any such further information as it considers necessary, in order to be able to reach a finding in respect of the complaint. After due consideration of all facts they consider relevant, the panel will make findings as to whether the Stage Two decision was a reasonable one and accordingly can decide to:

- uphold the complaint and recommend that certain action be taken to resolve it;
- uphold the complaint in part (in other words find an aspect or aspects of the complaint to be valid, but not the whole complaint) and recommend certain action to be taken, or
- dismiss the complaint entirely.

12. The Panel may make recommendations to the School as a result of its deliberations but has no power to compel the School to take action.

13. The complainant, the Headmistress, (or Chair of Governors as appropriate) who investigated the complaint and made the decision at Stage Two, and, where relevant, the person complained about will be informed in writing of the panel's findings and any recommendations, normally no later than 10 working days (excluding those which fall in the school holidays) after the review meeting has taken place.

Recording Complaints

14. Following resolution of a complaint, the School will keep a confidential written record of all complaints and whether they are resolved at the formal stage or proceed to a panel hearing. 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)
- Actions taken on behalf of the School following the resolution of the complaint (regardless of whether the complaint is upheld or not)

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, delete comma requests access to them or where disclosure is required under other legal authority or court order.

15. Complaints which do not have safeguarding implications should be retained for a minimum of 7 years. Where there is a safeguarding angle, 'Records concerning allegations of abuse must be preserved for the term of the Independent inquiry into Child Sexual Abuse and at least until the accused has reached normal pension age or for 10 years from the date of the allegation if it is longer.'

16. The School will ensure that, in accordance with the Education (Independent School Standards) Regulations 2014, a copy of the findings and recommendations made at the panel review stage are provided in writing to the complainant and, where relevant, the person complained about, as well being made available for inspection on the school premises by the Headmistress

17. Any complaint regarding a decision taken by the Headmistress to exclude or require the removal of the pupil will be governed by this Stage (Two/Three) of the School's Complaints Procedure. In such circumstances, the Panel may only uphold the complaint and ask the Headmistress to reconsider their decision if they consider, having regard to the process followed by the Headmistress, that the Headmistress's decision to exclude / require the removal of the pupil was not a reasonable decision for the Headmistress to have taken.

Stage Three is the final stage at which the School will consider the complaint.

Vexatious Complaints

There will be occasions when, despite all stages of the procedures having been followed, and where central office has agreed to investigate, the complainant remains dissatisfied. If the complainant tries to reopen the same issue or a closely related issue that has already been dealt with under this complaints procedure, the Headmistress or the Chair of Governors will inform parents in writing that the procedure has been exhausted and that the matter is now closed. If the complainant writes again on the same issue, then the correspondence may be recognised as vexatious and there will be no obligation on the part of the School to respond to any further correspondence on the same issues or a closely related issue. Whilst we understand that some matters may be potentially upsetting, if the conduct of the complainant is inappropriate, threatening or abusive (either in person or in written form), the School reserves the right to regard the matter as a vexatious complaint and there will be no obligation on the part of the School to respond. Please see Vexatious Complaints and Harassment Policy

This policy also applies to the **Early Years Foundation Stage**.

Our approach to the handling of complaints is consistent across the School, from Nursery through to Year 6. There are, however, additional requirements for complaints which are raised in our Early Years Foundation Stages.

Written complaints relating to the requirements of the EYFS Statutory Framework Written complaints about the fulfilment of the EYFS requirements will be investigated in accordance with Stage Two of the complaints procedure and you will be notified of the outcome of the investigation within 28 days of the complaint being received.

Stage Three above will be available to you if you remain dissatisfied with the outcome at Stage Two. The School will provide Ofsted and ISI (as appropriate), on request, with a written record of all complaints made during any specified period, their outcome and the action that was taken as a result of each complaint, which will include details of whether the complaint was upheld. You may also complain directly to ISI or Ofsted if you believe that the School is not meeting the EYFS requirements: ISI may be contacted on 020 7600 0100 or by email: concerns@isi.net. Ofsted may be contacted on 0300 123 4666 or by email: enquiries@ofsted.gov.uk

External Agencies

Parents can be assured that all complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except to the extent required by paragraph 6(3)(f) of the Education (Independent School Standards) Regulations 2014 (as subsequently amended); by the Secretary of State, or where disclosure is required by the ISI under Section 162A of the Education Act 2002 (as amended), or under other legal authority such as Ofsted, in the course of the school's inspection; or where any other legal obligation prevails. Parents may also wish to contact the Independent Schools Inspectorate for further assistance. Independent Schools Inspectorate, 9 - 12 Long Lane, London, EC1A 9HA. 020 7600 0100 or concerns@isi.net

If parents want to contact Ofsted or ISI directly regarding the fulfilment of the Early Years requirements they may contact them at the following;

- Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD. General helpline 0300 123 1231.
- ISI, Ground Floor, Cap House, 9-12 Long Lane, London EC1A 9HA. Tel: 0207 600 0100 or concerns@isi.net

Appendix One



Complaint Form

Basic Details	
Pupil Name	
Complainant's Name	
Relationship to the Pupil	
Address	
E-mail	
Telephone number(s)	

What is your complaint regarding? <i>(please mark with a x all relevant areas below)</i>			
Safeguarding		SEN/D	
Health and Safety		Catering	
Curriculum		Uniform	
Pupil Behaviour		Communication	
Staff Behaviour		Other (please state)	

Please give a brief description of your complaint

How have you already expressed your concern to the School? <i>We cannot investigate your complaint if you have not taken the opportunity to address your concern informally at an early stage.</i>

What has the School done to address your initial complaint / concern so far? (Who, What, Where, How, When)

Name of the person who originally considered your initial concern / complaint

What actions will resolve the problem for you now?

Signature	
Name	
Date	

Appendix Two

Independent Member of the Panel

The DfE has supplied the following guidance:

Whilst we do not wish to be prescriptive about who schools should appoint as an independent person our general view is that people who have held a position of responsibility and who are used to analysing evidence and putting forward balanced arguments would be suitable. Examples of persons likely to be suitable are serving or retired business people, civil servants, heads or senior members of staff at other schools, people with a legal background and retired members of the Police Force might be considered by schools. Schools will of course have their own views.

Convening Panel

Where the parent is not satisfied with the school's response to their complaint at Stage Two and indicates a wish to continue to Stage Three, for compliance purposes a panel hearing should take place even if the parent later indicated that they are now satisfied. The panel hearing should, in this case, proceed even if the parent subsequently decides not to attend. If necessary, the panel should consider the parent's complaint in his/her absence and issue findings on the substance of the complaint thereby bringing the matter to a conclusion. The requirement for the panel to proceed does not prevent the school from accommodating parental availability for dates or considering comments concerning panel composition. From January 2015, the written record of complaints is limited to all those made in writing under the formal part of the procedure. In relation to these complaints only, schools are required to record whether they are then resolved at that stage or proceed to a panel hearing. It is up to schools to determine whether or how they also wish to keep a record of informal complaints. Inspectors may advise that many proprietors wish to ensure records are kept, even of informal complaints, for management purposes to enable patterns of low-level concern to be monitored, though this is not a requirement