



WESTMINSTER UNDER SCHOOL

Complaints Procedure

Written by:	MJW, amended by SJB
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Approved by:	Governing Body (Shared Policy with Westminster School)
Related policies:	
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Person(s) in charge of review:	Deputy Master

Introduction

Westminster Under School prides itself on the quality of the teaching and pastoral care that it provides for its pupils. However, if pupils or parents do have a complaint, they can expect to be assisted by the School in accordance with the procedure detailed below. The aim of the procedure is to produce a resolution that everyone involved can accept.

This Complaints Policy relates to complaints raised by parents of currently registered pupils at Westminster Under School, and parents of former pupils where the complaint was raised while the pupil was still registered. It is not applicable to parents of prospective pupils, and will not apply to questions about failure to admit pupils to the school. For the purposes of this Policy, a 'parent' includes a person who has parental responsibility or who has care of a child – see section 576 of the Education Act 1996.

There is no distinction made between a 'concern' and a 'complaint' - both are treated in the same way: any matter about which a parent of a pupil is unhappy and seeks action by the school is a complaint.

Pupil exclusions are not dealt with by the Complaints Policy. Parents should consult the Policy on Behaviour, Rewards and Sanctions for more information on how to appeal against the exclusion of a pupil or any other disciplinary sanctions.

In outline, the procedure consists of three stages to be followed:

1. Informal resolution: usually by Form Tutor (within 14 days)
2. Formal complaint to the Master: if Stage 1 does not result in satisfactory outcomes (within 28 days)
3. Panel Hearing: if parents are not satisfied with the decision of the Master (hearing within 28 days and decision within 7 days of the end of the hearing)

Timescales

Deviation from the timescales indicated above for each stage may be necessary when the school is not in session; during half terms and school holidays. In this case parents will be informed of any possible extensions necessary to manage the availability of those who would normally be involved, or in gathering information, in a period when staff may be legitimately absent due to holidays.

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 will be regarded as vexatious and outside the scope of this Policy. Parents will be formally informed of this.

Broader issues

The Master and Deputy Master will regularly consider whether any current complaint may be the outcome of a systemic issue that should be investigated and acted upon.

For Pupils

If a pupil has a concern, he should speak to his Form Tutor or any other teacher. The Complaints Policy is not applicable to pupils.

For Parents

Stage One - Informal Resolution

It is hoped that all complaints and concerns will be resolved quickly and informally. If parents have a concern or a complaint, they should normally first contact their son's Form Tutor. It is anticipated that Form Teachers themselves will be able to resolve the majority of concerns to the parents' satisfaction, although it might be necessary to consult the subject teacher if the question is an academic one. Complaints made directly to a Head of Department, Head of Year or Assistant Master will usually be referred back to the relevant Form Tutor, unless the more senior member of staff deems it appropriate to deal with the matter (informally) themselves.

The Form 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 a reasonable period of time (normally 14 days), or in the event that the Form Tutor and the parents fail to reach a satisfactory solution, then parents will be advised to proceed with their complaint in accordance with the procedure below. A note should be kept of the date a resolution was reached and the agreed nature of this, so as to help prevent the process from drifting into a longer timeframe.

Sometimes, parents will raise a concern informally with the Master or Deputy Master direct. As above, they may feel that this should be referred back to the relevant Form Tutor, Head of Year or Head of Department. But there will certainly be occasions when the Master or Deputy Master feel it is appropriate to resolve the issue informally himself without the need for referral. This will still be under the Stage 1 process of informal resolution. It is only when/if the parents are not satisfied with the outcome that they should proceed to Stage 2 of this Procedure.

Should a parent not be satisfied with the outcome of this informal (Stage 1) process, they must bring their formal complaint to the Master within 14 days of the conclusion of Stage 1.

Stage Two - Formal Resolution

If the concern or complaint cannot be resolved on an informal basis then parents should put their concern in writing to the Master. Although all formal (Stage 2) 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 Stage 2 if the complainant has expressed the wish to escalate a matter to the formal stage.

Receipt of the complaint will be acknowledged, and the Master will decide, after considering the complaint, the appropriate course of action to take. In most cases, the Master will meet with the parents, normally within 14 days of receiving the complaint if it is in term time, to discuss the matter. If possible, a resolution will be reached at this stage. The School aims to resolve all Stage 2 complaints within 28 days of receiving the complaint.

It might be necessary to carry out further investigation, for example where there are other parties involved, and the Master will inform the parents of this. Investigation should take no longer than seven days during term time.

The Master will keep written records of all meetings and interviews held in relation to the complaint. Once the Master is satisfied that all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The Master will also give reasons for his decision. A note will be made of when the final decision was reached and communicated to parents.

Should a parent not be satisfied with the outcome of the Stage 2 process, they must act to raise their complaint to Stage 3 within 14 days of receipt of the Master's decision of Stage 2.

Stage Three - Panel Hearing

This stage of the Complaints Procedure will only be necessary should the matter not be resolved at the former two stages.

If this stage has been reached, parents should write to:

The Secretary to the Governing Body of Westminster School
17 Dean's Yard
London SW1P 3PB

A Panel, which consists of two Governors not directly involved in the matters detailed in the complaint and one person independent of the management and running of the School, will be convened to hear the concern. Each of the Panel members shall be appointed by the Governing Body.

The Secretary to the Governing Body will acknowledge the receipt of the letter of concern and will schedule a meeting to take place as soon as practicable and normally within 28 days.

Parents may be accompanied to this meeting by one other person. The provision to allow a parent to be accompanied at the Panel Hearing does not confer the right to have a legal representative to make representations on their behalf at the Hearing. Parents are asked to notify the Secretary to the Governing Body, in advance of the hearing, who will be accompanying them.

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 5 days prior to the hearing.

The Panel Hearing will be a 'full merits' hearing and not merely a check that due process was followed.

If possible, the Panel will resolve the parents' concern immediately 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 the relevant facts, the Panel will form a decision within 7 days of the ending of the hearing. The Panel will write to the parents informing them of its decision and the reasons for it. The decision of the Panel will be final. The Panel's findings and recommendations, if any, will be sent in writing to the parents, Chairman of the Governors, Master and, where relevant, the person against whom the complaint has been made.

The complainant(s) will have the right of appeal to a higher authority, namely Ofsted or the Independent Schools Inspectorate (ISI), whose contact details are given at the end of this policy.

If a parent does not exercise the right to attend a Panel Hearing, the School is still obliged to hold the Hearing in conformity with its Complaints Policy.

The Master will keep written records of all meetings and interviews held in relation to the complaint.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Furthermore, all decisions will be made impartially and within a reasonable time. Correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under Section 109 of the 2008 Act requests access to them.

Written records and retention

A written record is kept of all complaints that reach the formal stage (stage 2 above), and of whether they are resolved at that stage or proceed to a panel. A record will also be kept of what action is taken by the school as a result of those complaints (regardless of whether they are upheld) and the date on which a final outcome was reached. All records of complaints will be kept for a minimum of seven years. Complaints that have a Safeguarding link will be retained in accordance with the government guidance (currently: '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'. The school will provide on request to Ofsted and ISI, a written record of all complaints made during a specified period and the action that was taken as a result of each complaint.

Parents may ask the Headmaster for the number of complaints received at the formal and panel stage during the preceding academic year.

In addition to the Complaints Policy detailed above, parents may also make a complaint to either the Independent Schools Inspectorate (ISI) or, for complaints concerning boarding provision or the Early Years Foundation Stage, to Ofsted. This includes parents appealing against a decision made by the school about their complaint.

Contact details:

Independent Schools Inspectorate

CAP House, 9-12 Long Lane, London, EC1A 9HA

Telephone: 020 7600 0100 Fax: 020 7776 8849 Email: see Website: www.isi.net

Ofsted

Piccadilly Gate, Store Street, Manchester, M1 2WD

Telephone: 03001231231 Email: enquiries@ofsted.gov.uk

Number of formal complaints

The number of complaints registered under the formal procedure during the preceding school year is made available to parents of currently registered pupils on request to the Master or to the School Office.