

# *West Lodge School*

## *Complaint Policy & Procedure*

This policy applies to the whole school including the Early Years Foundation Stage (EYFS) and before and after school activities.

This policy does not apply to prospective parents. The complaint procedure applies only to parents of currently registered pupils as well as parents of past pupils provided the complaint was raised when the pupil was still a registered pupil at West Lodge School ('the School').

### **Introduction**

The 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 in accordance with this procedure. The School does not distinguish between complaints and concerns; both will be treated with equal importance to resolve any matters raised.

This Procedure does not apply where parents wish to appeal the Head Teacher's decision to expel or require the removal of a pupil from the School (see Behaviour, Discipline and Exclusions Policy).

This policy is available on the School website and can be made available upon request to the Head Teacher. This policy can also be made available in larger print or more accessible format if required. If parents require assistance raising their concern or complaint at any stage in the procedure, for example because of a disability, they should contact the School Business Manager who will be happy to make appropriate arrangements.

In this policy, all references to 'working days' means Monday to Friday excluding weekends and bank holidays.

The procedures set out below may be adapted as appropriate to meet the policy aims and circumstances of each case.

### **Aims**

The aim of this policy is to ensure that concerns and/or complaints are managed efficiently, at the appropriate level and in accordance with this procedure. Therefore, the School needs to know as soon as possible if parents have any cause for concern and/or complaint.

### **Stage 1 – Informal Resolution**

1. It is hoped that most complaints (and this includes concerns) will be

resolved quickly and informally.

2. If parents have a complaint, they should normally contact their son/daughter's class teacher. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the class teacher cannot resolve the matter alone, it may be necessary for him/her to consult the Head Teacher.

In the case of the EYFS, all concerns at Stage 1 should be raised with Head of EYFS.

3. Complaints made directly to the Head Teacher will usually be referred to the relevant class teacher unless the Head Teacher deems it appropriate for her to deal with the matter personally.
4. The class teacher will make a written record of all concerns and complaints and the date on which they were received. The written record will be passed to the Head Teacher to be kept as part of the School's complaints file.
5. Should the matter not be resolved within 5 working days (or as soon as reasonably practicable but normally within 15 working days during school holidays) or in the event that the class teacher and the parent fail to reach a satisfactory resolution then parents will be advised that they may proceed with their complaint in accordance with Stage 2 of this Procedure.

Note: any initial complaint put in writing or email will usually be treated as a Stage 1 complaint and will not automatically trigger the formal procedure under Stage 2.

### **Stage 2 – Formal Resolution**

1. If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Head Teacher. Parents should give details of their complaint, such as dates and times of events and any relevant documents so that the complaint can be properly investigated. Parents should also indicate what they envisage as the desired outcome.
2. The Head Teacher will acknowledge receipt of the complaint within 2 working days (or as soon as reasonably practicable during school holidays) and will decide, after considering the complaint, the appropriate course of action to take.
3. In the case of the EYFS written complaints should also be addressed to the Head Teacher, who will investigate the nature of the complaint.
4. In most cases, the Head Teacher will speak to the parents concerned, normally within 5 working days of acknowledging receipt of the complaint, to discuss the matter (or as soon as reasonably practicable but normally within 15 working days during school holidays). If possible, a resolution will be reached at this stage.
5. It may be necessary for the Head Teacher to carry out further investigations,

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which may be delegated to the Deputy Head provided they have not previously been involved under Stage 1.

6. Written records will be kept of all meetings and interviews held in relation to the complaint.
7. Once the Head Teacher 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 (together with reasons) in writing as soon as reasonably practicable but normally within 10 working days and in any event no more than 15 working days after receipt of the written complaint. Only in exceptional circumstances or with complex cases will this take longer and parents will be informed of the likely timeframe for a response.
8. If parents are still not satisfied with the decision, they may proceed to Stage 3 of this Procedure.

### Stage 3 – Panel Hearing

1. If parents (including parents of pupils in the EYFS) seek to invoke Stage 3 (following a failure to reach an earlier resolution), they will be referred to The Clerk to the Governors who has been appointed by the Governors to call hearings of the Complaints Panel. Parents should write to the Clerk giving full details of the complaint including the outcome they desire and enclose all relevant supporting documents. Parents should note that the Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.
2. The Clerk will acknowledge receipt of the complaint within 4 working days (or as soon as reasonably practicable but normally within 7 days during school holidays).
3. The matter will then be referred to the Complaints Panel for consideration.
4. The Panel will consist of, *at least three persons not directly involved in the matters detailed in the complaint*, one of whom shall be independent of the management and running of the School. The Clerk shall appoint each of the Panel members. The Clerk to the Governors, on behalf of the Panel, will then schedule a hearing to take place as soon practicable and normally within 14 working days (or as soon as reasonably practicable but normally within 14 working days during school holidays) of receipt of the parents request for a panel hearing.
5. 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 3 working days prior to the hearing.
6. A parent may attend the panel hearing and be accompanied by someone else if they wish. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.

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7. If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation.
8. Where further investigation is required, the Panel will decide how it should be carried out and by whom.
9. The Panel's task is to establish the facts surrounding the complaint(s) by considering the documents provided by both parties and consideration of any representations made by parents and the School. After due consideration of all facts they consider relevant, the Panel will reach a decision on the balance of probabilities as to whether or not the complaint is substantiated (in whole or in part). If the complaint is not substantiated, the Panel will dismiss the complaint. If the complaint is substantiated (in whole or in part), the Panel will uphold the complaint (in whole or in part) and may make recommendations if they deem it appropriate.
10. The Panel will write and/or send by electronic mail to all participants informing them of its decision and the reasons for it within 7 working days of the hearing. The decision of the Panel will be final. The Panel's findings and, if any, recommendations will be sent to the complainant, the Head Teacher, the Governors and, where relevant, the person complained of.
11. Panel's findings and any recommendations will also be available for inspection on the School premises by the Head Teacher and the Governors.
12. Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Parents are able to ask for the number of complaints registered the previous year. 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 108 or 109 of the 2008 Act requests access to them.

### **Additional information with regard to EYFS provision:**

1. All written complaints relating to the fulfilment of EYFS requirements will be investigated. Complainants will be notified of the outcome of the investigation within 28 days of having received the complaint.
2. The record of complaints is kept for at least three years.
3. The record of complaints will be made available to Ofsted on request.
4. Parents may make a complaint to Ofsted and/or Independent Schools Inspectorate, see contact details below.

### **Handling of Complaints**

Parents can be assured that all concerns and complaints will be treated seriously and confidentially by the School.

In the event of a complaint being received during a school holiday period, it will be dealt with as soon as reasonably practicable and normally within the

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timescales set out throughout this policy. Where there are delays in collecting information, for example, caused by staff absence, parents will be informed of the reasons why and a likely timeframe for a response.

If parents remain dissatisfied with the School's response and/or feel that intervention at a higher level is appropriate, they may lodge a complaint to external agencies as follows:

### **Independent Schools Inspectorate (ISI)**

CAP House,  
9-12 Long Lane,  
London  
EC1A 9HA  
Tel: 020 7600 0100  
Email: [\*\*concerns@isi.net\*\*](mailto:concerns@isi.net)

Parents may also lodge a complaint with **Ofsted** regarding EYFS  
<http://www.ofsted.gov.uk/contact-us> - [\*\*enquiries@ofsted.gov.uk\*\*](mailto:enquiries@ofsted.gov.uk), Tel: 0300 1234 234 or ISI as above.

Ofsted ask complaints to be registered through their contact form on their website <http://live.ofsted.gov.uk/onlinecomplaints/> (or email [\*\*enquiries@ofsted.gov.uk\*\*](mailto:enquiries@ofsted.gov.uk)).

### **Records**

The Head Teacher will keep written records of all meetings and interviews held in relation to the complaint. The written record of all complaints will include a record of the date, the circumstances of the complaint, the action taken by the School as a result of the complaint and whether these concerns were resolved at the preliminary stage, following a formal procedure or whether they proceeded to a panel hearing.

All formal complaints will be recorded for management purposes and to facilitate the monitoring of patterns of concern.

The outcome of all complaints is recorded in the complaints records situated in the Head Teacher's Office which are available for parents, ISI and OFSTED inspectors on request.

All records of complaints will be retained by the School in accordance with the School's obligations under the Data Protection Act.

Number of Formal Complaints registered during 2015/16 = 0

**Reviewed Date: March 2017**

**Next Review Date: March 2018**

**Reviewer: Head Teacher and Business Manager**