

PARENTAL COMPLAINTS POLICY AND PROCEDURES

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Owner:	Rachel Rees, Principal
Author:	Stuart Ayres, Vice Principal
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1. Introduction

1.1 This Policy applies to the Westbourne Preparatory, Westbourne Senior and Westbourne Sixth Form (the School).

1.2 The School aims to ensure that any complaint is managed sympathetically, efficiently, quickly and at the appropriate level and that it is resolved as soon as possible. We will attempt to resolve every complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, we will review our systems and procedures in the light of the circumstances of the complaint.

1.3 We recognise that a matter, which is not resolved quickly and fairly, has the potential to escalate quickly and become a cause of resentment; therefore, we aim to deal with matters at an early stage.

1.4 Parents and pupils should never feel that the making of a complaint will affect adversely a pupil or their opportunities at the school.

1.5 In this Policy, unless otherwise stated, references to "the Principal/Vice Principal(s)" mean the Vice Principal of Westbourne Preparatory School and Middle years (nursery to Year 8) and the Principal/Vice Principal of Westbourne Senior and Sixth Form (Years 9-13)

1.6 The school will not normally investigate anonymous complaints (unless a serious safeguarding issue has been highlighted).

1.7 We aim to resolve any complaints in a timely manner. Timescales for each stage of the process are set out below in the relevant paragraphs. When we refer to **working days**, we mean Monday to Friday, when school is open during term time. The dates of terms are published on the school's website.

1.8 In the event that the application of the definition in 1.7 is likely to introduce an excessive delay, due, for example, to intervening school holidays, the school's approach is to take sensible and reasonable steps so in order to minimise any hardship or unfairness arising from such delays.

1.9 Complaints which are raised in the school vacations will usually be deemed to have been received on the first working day after receipt.

2. Management of complaints

2.1 The school's complaints procedure has three stages:

2.1.1 **Stage 1:** The informal raising of a complaint with a member of staff, either orally or in writing. Further details of this procedure are set out in **Appendix 1**.

2.1.2 **Stage 2:** a formal complaint in writing to the Principal/Vice Principal(s). Further details of this procedure are set out in **Appendix 2**.



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2.1.3 **Stage 3:** reference to a Complaints Panel. Further details of this procedure are set out in **Appendix 3**.

2.2 A convenient summary of the school's Complaints Procedure is set out in **Appendix 4**.

2.3 Separate procedures apply in the event of a child protection issue, or if a pupil is expelled from the school and the parents seek a review of that decision.

3. Record keeping and confidentiality

3.1 All records created in accordance with this policy are managed in accordance with the school's policies that apply to the retention and destruction of records.

3.2 A written record will be kept of all complaints, and of whether they were resolved at the preliminary stage or proceeded to a Complaints Panel Hearing, including the action taken by the School as a result of the complaints (regardless of whether they are upheld).

3.3 The number of formal complaints registered during the preceding school year will be supplied to parents on request.

3.4 The records created in accordance with this policy may contain personal data. The school's privacy notices which explain how it will use personal data about pupils and parents. The privacy notices are published on the school's website.

3.5 School staff will ensure that they follow the School's data protection policies and procedures when handling personal data created in connection with this policy. This includes the school's data protection policy.

3.6 In accordance with data protection principles, details of individual complaints will be kept only for as long as is considered to be reasonably necessary in the circumstances.

3.7 Records of complaints will be reviewed regularly by the Principal/Vice Principal(s) to monitor any concentration or trends in the complaints received and the taking of consequential and appropriate action.

3.8 Correspondence, statements and records relating to individual complaints will be kept confidential, except where access is requested by the Welsh National Assembly or where disclosure is required in the course of an Estyn inspection or under other legal authority.

4. Complaints to Care Inspectorate Wales (CIW)

4.1 Parents of boarders have the right to contact Care Inspectorate Wales (CIW) if they have a complaint concerning the welfare of their child.

4.2 CIW can be contacted at:

Email: ciw@gov.wales



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Telephone: 0300 7900 126
Welsh Government office
Sarn Mynach
Llandudno Junction
LL31 9RZ

4.3 It is expected that complaints made under this Policy will go through the school's Complaints Procedure before CIW is contacted.

Appendix 1

Stage 1 - dealing with complaints informally

1. Informal resolution of a complaint

1.1 We expect that most complaints can be resolved informally. For example, dissatisfaction about some aspect of teaching and learning or pastoral care or a billing error should be able to be resolved by the relevant member of staff and/or senior leader.

1.2 An informal complaint provided in writing will be acknowledged by telephone, email or letter within two working days of receipt during term time together with the action that is being taken and the likely timescales involved. Such action may include an investigation and/or a meeting with the parent. A matter raised orally will not necessarily be acknowledged in writing but a record of the matter will be made.

1.3 Please note that complaints regarding discrimination, harassment or victimisation are taken very seriously and may need to be dealt with at Stage 2 without action at Stage 1. Similarly, where the complaint raises safeguarding concerns, this may need to be dealt with at Stage 2.

2. Whom should I contact?

2.1 Where appropriate, complaints should be raised initially with the relevant class teacher, Form Tutor, boarding parents or other staff member, as appropriate. It is the responsibility of the member of staff receiving the complaint to inform the relevant Principal/Vice Principal(s).

2.2 If a complaint has not been resolved by informal means to the parent's satisfaction within 15 working days, it should be referred in writing as a formal Stage 2 complaint to The Principal/Vice Principal(s) using the procedure set out in **Appendix 2**.

3. Complaints about the school's senior leaders (except the Principal)

3.1 Parents may choose to raise complaints directly against any of the senior leaders if they feel that the matter is capable of an informal resolution. The complaint may be raised either orally or in writing. If it is presented in writing the school will not automatically treat the complaints as a formal



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stage (Stage 2) complaint and the senior leaders will endeavour to resolve the complaint informally under Stage 1.

3.2 The relevant senior leader will acknowledge informal complaints within two working days and will seek to resolve the matter under this Stage 1 by means of direct conversation or a meeting with the parents, to be held within 15 working days of the initial complaint.

3.3 If the parent is dissatisfied with the response to the informal complaint from the relevant senior leader and in the event that the complaint cannot be resolved by informal means, the parent may make a formal complaint against any of the senior leaders and this should be put in writing to The Principal as a Stage 2 complaint.

4. Complaints against The Principal should be directed to the [School Proprietor](#).

Appendix 2

Stage 2 - formal complaint

1. How to make a formal complaint

1.1 If a parent is dissatisfied with the response to the complaint managed under Stage 1, or the complaint requires further investigation or it involves dissatisfaction with some aspect of the school's policies or management, the complaint should be made under Stage 2.

1.2 The full details of the complaint should be set out in writing and sent with all relevant documents and full contact details to the Principal.

1.3 The complaint will be acknowledged by telephone, email or letter within two working days during term time, and as soon as practicable during the holidays, indicating the action that is being taken and the likely time scale.

2. Investigation

2.1 The Principal will ask a senior member(s) of staff to act as Investigator(s). The Investigator[s] may request additional information from the complainant and may wish to speak to them and to others who have knowledge of the circumstances. Written records will be kept of all meetings and interviews held in relation to the complaint. Personal data may be redacted, and names anonymised or cyphered, in line with data protection principles.

2.2 The Investigator[s] will prepare a report on the investigation which will receive due consideration by the Principal.

2.3 A copy of any findings and recommendations should be provided to the complainant and, where relevant, the person(s) about whom the complaint has been made.

3. Decision



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3.1 The Principal will notify the complainant by email or letter of the Stage 2 decision and the reasons for it within 10 working days from the receipt of the formal complaint. Where there are exceptional circumstances resulting in a delay, the parents will be notified of this and informed of the new timescales as soon as possible.

3.2 Please note that any complaint received within one month of the end of a term or half term is likely to take longer to resolve owing to the school vacations and the unavailability of personnel required for the investigation to be undertaken with appropriate diligence.

3.3 If a parent is dissatisfied with the Principal's decision, the parent can request that the complaint be referred to the Complaints Panel under Stage 3 using the procedure set out in **Appendix 3**.

4. Complaints against The Principal

4.1 Complaints about the Principal should be directed to the [School Proprietor](#). The full details of the complaint should be set out in writing and sent with all relevant documents and full contact details to the Proprietor.

4.2 The Proprietor will acknowledge the complaint within three working days of receipt and indicate the action that is being taken and the likely timescale. Such action may include an investigation and/or a meeting with the parent. The parent will usually receive a response to the complaint within 15 working days.

4.3 If the parent is dissatisfied with the response to the complaint, the parent can request that the complaint be referred to a complaints panel under Stage 3.

Appendix 3

Stage 3 - Complaints Panel

1. What is a Complaints Panel Hearing?

1.1 If a parent is dissatisfied with the Stage 2 response to their complaint, they can request a Complaints Panel Hearing.

1.2 The Hearing is a review of those elements of the decision made at Stage 2 by the Principal (or in circumstances where the formal complaint concerns the Principal, the Proprietor appointed to act in their place) where the parent remains dissatisfied.

1.3 The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaint's procedure.

1.4 The role of the Complaints Panel is to establish the facts surrounding the complaints that have been made by considering:

1.4.1 the documents provided by both parties and



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1.4.2 any representations made by the Parents and the Principal and to reach a decision, on the balance of probabilities, as to whether each complaint is upheld in whole or in part.

1.5 Members of staff mentioned and involved in the complaint will see the evidence and documentation before any meeting. Any written material will be circulated to all parties at least three working days before the date of the meeting.

1.6 It is not within the powers of the Complaints Panel to make any financial award, nor to impose sanctions on staff, pupils or parents. The Complaints Panel may make recommendations to the school on these matters or any other issues as appropriate.

1.7 All parents should be aware that regardless of the nature of the complaint and whether or not it is upheld, parents are not entitled to details of any related sanctions imposed on staff, pupils or parents for reasons of data protection and confidentiality.

2. How to request a Hearing

2.1 A request for a Panel Hearing must be put in writing to the Proprietor within five working days of the decision complained of. The request will usually only be considered if the procedures under Stages 1 and 2 have been completed.

2.2 The written request should include:

- 2.2.1 a copy of all relevant documents and full contact details;
- 2.2.2 details of those aspects of the complaint about which the parent remains dissatisfied;
- 2.2.3 the outcome desired;
- 2.2.4 a list of the documents which the parents believe to be in the school's possession and wish the Complaints Panel to see; and
- 2.2.5 whether the complainant proposes to be accompanied to the hearing by someone who is legally qualified (see paragraph 3.3 below).

2.3 If assistance to comply with the request to attend a meeting is required; for example, because of a disability, please inform the school office who will be happy to make appropriate arrangements.

2.4 The Proprietor will acknowledge the request for a Hearing in writing within two working days of receipt during term time and as soon as practicable during the holidays.

2.5 Every effort will be made to enable the Hearing to take place within 15 working days of receipt of the request. However, parents should note that the Complaints Panel will not normally sit during half terms or school holidays.

3. Planning the Hearing



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3.1 As soon as reasonably practicable, and in any event at least ten working days before the Hearing, the Proprietor will send written notification to each party of the date, time and place of the hearing.

3.2 Copies of any additional documents you wish the Complaints Panel to consider should be sent to the Proprietor to be received at least five working days prior to the Hearing.

3.3 You may be accompanied to the Hearing by another person, for example a relative or friend. The Hearing is not a legal proceeding and so legal representation is not necessary. If you wish to be accompanied by someone who is legally qualified, you should have notified the Proprietor of this in your initial request for a Hearing. If you did not do so and subsequently wish to be accompanied by a legally qualified person, you must inform the Proprietor of this at least five working days prior to the Hearing. Please note that the Complaints Panel will wish to speak to the parents directly. Any legal accompaniment will not be permitted to act as an advocate or to address the Hearing unless invited to do so by the Proprietor.

3.4 The Proprietor will circulate a copy of the documents to be considered by the Complaints Panel to all parties at least three working days prior to the Hearing.

3.5 If the complainant does not turn up for the meeting without due notification the hearing will go ahead in their absence

4. Composition of the Complaints Panel

4.1 The Complaints Panel will normally comprise three individuals who have no detailed prior knowledge of the circumstances of the complaint, including at least one independent member, who has no connection with the governance, management or running of the school.

4.2 The parents may ask the Proprietor to inform them who has been appointed to sit on the Complaints Panel ahead of the Hearing.

4.3 The Complaints Panel members will appoint one of themselves to be the Chair of the Panel throughout the proceedings.

5. The Hearing

5.1 The Hearing will be conducted in an informal manner.

5.2 The parties shall have the opportunity to ask questions and make comments in an appropriate manner. The Hearing is not a legal proceeding, and the Complaints Panel shall be under no obligation to hear oral evidence from witnesses but may do so and / or may take written statements into account.

5.3 All statements made at the Hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes. A clerk appointed by the



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Complaints Panel will take a handwritten minute of the proceedings. Copies of the minutes of the relevant parts of the Hearing will be provided to the complainant and other attendees within five working days of the Hearing.

5.4 All those attending the Hearing are expected to show courtesy, restraint and good manners or, after due warning, the Hearing may be adjourned or terminated at the discretion of the Chair. If terminated, the original decision will stand. Any person who is dissatisfied with any aspect of the way the Hearing is conducted must say so before the proceedings go any further and his / her comment will be minuted.

5.5 The Chair may, at their discretion, adjourn the Hearing for further investigation of any relevant matters. This may include an adjournment to take legal advice.

5.6 A Hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be made available directly or indirectly to the press or other media.

5.7 When the Chair of the Panel considers that all the issues have been sufficiently discussed, they will conclude the Hearing.

6. The decision

6.1 The Complaints Panel will reach a decision on a balance of probabilities unless there is an agreed position.

6.2 The Complaints Panel's findings and any recommendations will be confirmed in writing to the complainant and, where relevant, the person complained about, within five working days of the Hearing.

7. Next steps

7.1 The decision of the Panel is final. There will be no further opportunity within the School for consideration of the complaint. The completion of Stage 3 represents the conclusion of the school's Complaints Procedure.

7.2 The School will however ensure that the panel decision is recorded appropriately and that any recommendations made in the course of a complaint are properly considered and actioned as appropriate.

7.3 The decisions, findings and any recommendations will also be available for inspection on the school premises by the Proprietor and the Principal.

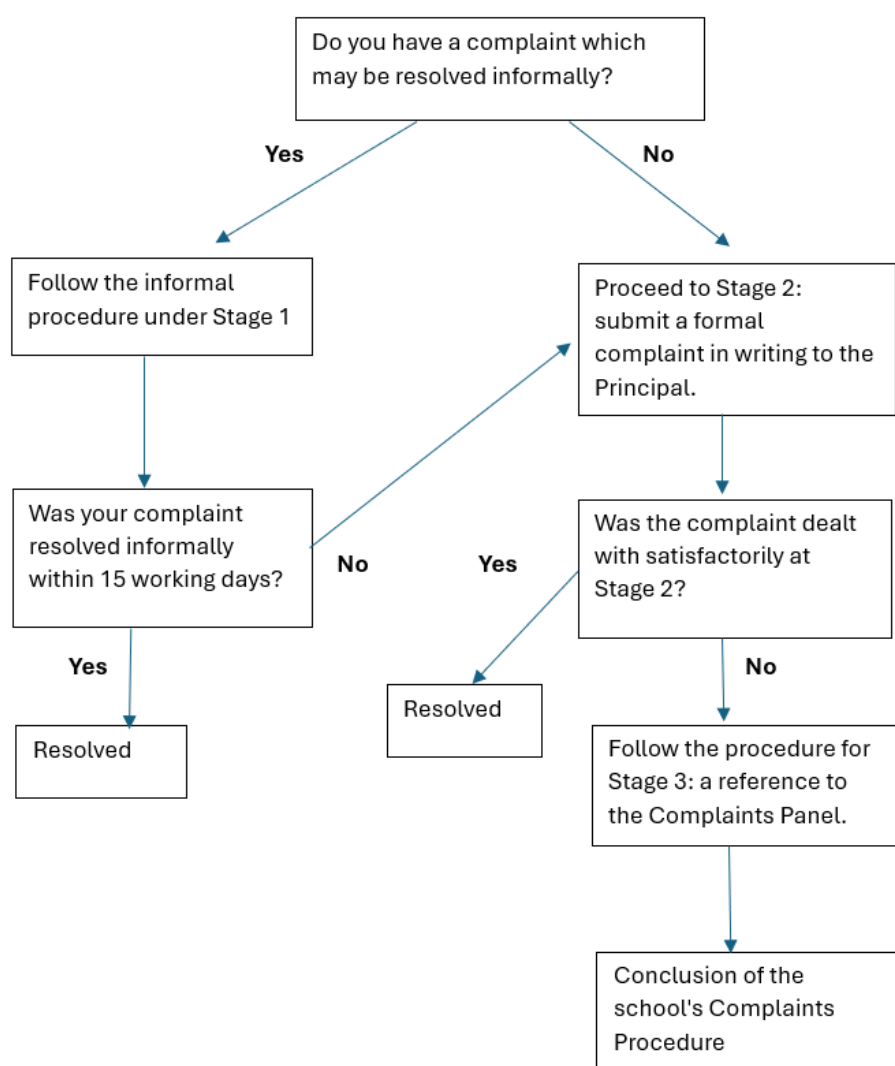


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Appendix 4 Procedural flowchart



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