



## Westbourne House School

CHICHESTER

### COMPLAINTS POLICY

**This is the policy of Westbourne House School, which incorporates the Prep School, Pre-Prep, Early Years Foundation Stage as well as provision for boarding**

#### **Policy Statement**

The policy of the school is to treat all concerns and complaints seriously and confidentially, in accordance with the set school procedures.

#### **Aims**

Westbourne House has long taken pride in the quality of the teaching and pastoral care that the school provides 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. Correspondence, statements and records will be kept confidential except where the Secretary of State or a body conducting an inspection under sections 108 or 109 of the 2008 Act, as amended, requests access to them; where disclosure is required in the course of the school's inspection; or where any other legal obligation prevails.

Although this policy is made available to parents of prospective pupils, it is not available for use by them; it may only be used by parents of current pupils.

Complaints by parents of former pupils will be dealt with under this Complaints Procedure only if the complaint was initially raised when the pupil to which the complaint relates was still registered as a pupil at the School. **It does not apply retrospectively.** The only exception to this is if the complaint is a review of a decision taken by the Head to exclude or require the removal of a pupil under clause 7 of the School's Terms and Conditions of Contract in which case such a review must be requested by no later than five working days from the date of the decision to exclude or require the removal of a pupil.

All parents should be aware that regardless of the nature of a complaint and whether or not it is upheld, parents are not entitled to details of any related sanctions imposed on staff, students or parents.

"Parent(s)" means the holder(s) of parental responsibility for a current pupil about whom the complaint relates.

#### 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, and any matter about which a parent is unhappy and seeks action by the school is within the scope of this procedure.

A complaint is likely to arise if a parent believes that the school has done something wrong, failed to do something that it should have done or has 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] raise[s] in good faith.**

Copies of the policy are available on the school's website in the Parents' Section, or hard copies are available from the School Office; any persons wanting to make a complaint can do so to The Independent Schools Inspectorate.

With due regard to boarding:

- the complaints procedure is available not only to parents but also to all staff and boarders;
- boarders and their parents are informed by the school how they can contact ISI regarding any complaints concerning boarding welfare;
- a written record is kept of serious complaints and their outcomes for regular review by the head or a senior member of staff. The record will differentiate between the academic/pastoral and boarding provision.
- complaints are resolved either to the complainant's satisfaction, or with an otherwise appropriate outcome which balances the rights and duties of pupils;
- pupils are not penalised for making a complaint in good faith.

With due regard to EYFS, we provide:

- a record of EYFS complaints are kept and made available to Ofsted and ISI at their request;
- a record of any complaints received and their outcome is kept for at least seven years;
- details for contacting Ofsted: Piccadilly Gate, Store Street, Manchester M1 2WD; Ofsted may be contacted on 0300 123 4666 or by email [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)
- Written complaints about the fulfilment of the Early Years Foundation Stage requirements must be investigated and the complainant notified of the outcome within 28 days of the complaint being made.

### **Practice and Procedure**

This procedure is based on the model recommended by the Independent Schools Council and meets the requirements of The Education (Independent School Standards) Regulations 2014, the Children Act 1989 and Standard 18 of the National Minimum Standards for Boarding Schools (under consultation ending Feb 2021 and as outlined in the DfE Regulations).

### **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 Form Teacher, Personal Tutor for Years 7 & 8 or Head of Year.
- In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Form teacher/Personal Tutor/Head of Year cannot resolve the matter alone, it may be necessary for him/her to consult the Deputy Head or the Headmaster.
- Complaints will often be communicated by email and although this is in writing this does not automatically mean that this is a formal complaint. Complaints will 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.
- Complaints pertaining to inclusive practices or a pupil's individual or additional educational programme should be taken to IENCo.
- Complaints made directly to the Deputy Head or the Headmaster will usually be referred to the relevant Form Teacher/Personal Tutor/Head of Year unless the Deputy Head or the Head deems it appropriate for him to deal with the matter personally.
- The Form Teacher/Personal Tutor/Head of Year 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 3 working days or in the event that the teacher 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 Procedure**.

### **Stage 2 – Formal Resolution**

- 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 meet or speak to the parents concerned, normally **within 2 working 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 which will include date, name of complainant, brief overview of complaint, action taken and outcome. This record will differentiate between the academic/pastoral and boarding provision.
- 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. (Normally **within 5 working days** of the Head receiving the complaint) The Head will also give reasons for his/her decision.
- **If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Procedure.**

### **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, who shall be appointed by the Chairman of Governors, will consist of up to three members, of which the third person will not be a member of the Board of Governors whom is independent of the management/running of the school and not directly involved in the matters detailed in the complaint. The Bursar, on behalf of the Panel, will acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally **within 14 working 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 **not later than 3 working days** prior to the hearing.
- The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.
- If possible, the Panel will resolve the parents' complaint 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 facts they consider relevant, the Panel will reach a decision and may make recommendations, which it shall complete **within 7 working days** of the Hearing. The Panel will write to the parents (sent by electronic mail or otherwise) informing them of its decision and the reasons for it. [The decision of the Panel will be final.] The Panel's findings and, if any, recommendations will be sent in writing (by electronic mail or otherwise) to the parents, the Head, the Governors and, where relevant, the person of whom the complaint was raised. They will be available for inspection on the School premises by the Head and The Governors.
- It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, pupils, or parents. The Panel may make recommendations on these or any other issues to the Headmaster or to the Governing Body as necessary.
- Records are kept of all complaints detailing whether the complaint was resolved following the formal procedure, or proceeded to a panel hearing and the action taken as a result of these complaints. All correspondence, statements and records relating to individual complaints are 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.

### **Recording Complaints and use of personal data**

**Following resolution of a complaint, the School will keep a written record of all complaints, whether they are resolved at the formal stage (Stage 2) or proceed to a Panel hearing (Stage 3) and any action taken by the School as a result of the complaint (regardless of whether the complaint is upheld).**

The School processes data in accordance with its Privacy Notice [<https://www.westbournehouse.org/privacy-notice>]. When dealing with complaints the School (including any Panel member appointed under the Stage 3 process) may process a range of information, which is likely to include the following:

- 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 and contact details 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)
- Notes and minutes of the hearing, and
- The Panel's written decision

This may include 'special category personal data' (as further detailed in the School's *Privacy Notice* and/or *Data Protection Policy*, but potentially including, for instance, information relating to physical or mental health) where this is necessary owing to the nature of the complaint. This data will be processed in accordance with the School's *Data Protection Policy*.

The School will keep records of formal complaints and Complaints Panel hearings, as required by regulation. It will do so in accordance with its *Privacy Notice and Data Protection Policy*.

**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.**

Any persons wanting to make a complaint to The Independent Schools Inspectorate can do so at ISI, CAP House, 9 – 12 Long Lane, London EC1A 9HA. Tel: 020 76000100 or contact ISI: [concerns@isi.net](mailto:concerns@isi.net)

Parents may also complain directly to Ofsted if they believe the School is not meeting the EYFS requirements. Ofsted may be contacted on 0300 123 4666 or by email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

### **Formal Complaints**

Formal Complaints received in school year 2010-11: **0**

Formal Complaints received in school year 2011-12: **0**

Formal Complaints received in school year 2012-13: **0**

Formal Complaints received in school year 2013-14: **0**

Formal Complaints received in school year 2014-15: **0**

Formal Complaints received in school year 2015-16: **1**

Formal Complaints received in school year 2016-17: **1**

Formal Complaints received in school year 2017-18: **1**

Formal Complaints received in school year 2018-19: **0**

Formal Complaints received in school year 2019-20: **0**

Formal Complaints received in school year 2020-21: **0**

### **Monitoring and review**

The School will review and monitor the effectiveness and compliance of this policy (and appendices – if appropriate). This policy will be kept up-to-date and amended to take account of legislative and regulatory changes.

Last Review Date	Next Review Date	Reviewer(s)
February 2022	August 2022	Headmaster Deputy Head Head of Pre-Prep Bursar