

# COMPLAINTS PROCEDURE

*This procedure refers to both Wellington Senior School and Wellington Prep School*

Headmaster	Henry Price
Author	Headmaster
Date Reviewed	February 2019
Date of Next Review	February 2020
Website	Yes

This policy was ratified by the Full Governing Body on 12 March 2019

## 1. Introduction

Wellington School prides 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 with care and in accordance with this Complaints Procedure. Wellington School makes its Complaints Procedure available to all parents of pupils and of prospective pupils on the School's website and in the school office during the school day and will ensure that parents of pupils and of prospective pupils who request it are made aware that this document is published or available and of the form in which it is published or available.

This procedure applies to both the Senior School and the Prep School and may only be used by the parents of current pupils. Complaints by parents of former pupils will be dealt with under this Complaints Procedure only where the complaint was initially raised when the pupil to which the complaint relates was still registered as a pupil at the School.

This Complaints Procedure is not available for use by parents of prospective pupils.

**Appeals against exclusions are dealt with in accordance with the School's Exclusions Policy, which is published on the School website and available on request from the School Office.**

In accordance with paragraph 32(1)(b) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, Wellington School makes available to parents of pupils and of prospective pupils and provides, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate, details of the School's Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year.

References to the Head include the Headmaster of the Senior School or the Prep School Headmaster, as appropriate.

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

## 2. 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 of a registered pupil 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 complaints will be treated seriously and confidentially. The School is here for your child and you can be assured that your child or children will not be penalised for a complaint that you or your child raises in good faith.***

### **3. The three-stage Complaints Procedure**

#### **Stage 1 - Informal Resolution**

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

##### **Senior School:**

- If parents have a complaint they should normally contact their son/daughter's Tutor. Parents of boarders will usually speak first to the Housemaster or Housemistress. Staff email addresses and voicemail boxes can be found in the termly calendar. If you are not sure who to contact, please contact the School Office on 01823 668800. Please remember that teachers will have a full programme of teaching and activities and may not be able to get back to you on the same day. They will endeavour to do so within 24 hours.
- In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Tutor (or Housemaster / Housemistress) cannot resolve the matter alone it may be necessary for him/her to consult a Head of Department, Head of Section, Deputy Head or the Head.
- Complaints made directly to a Head of Department, a Head of Section, a Deputy Head or the Head, whether verbally or in writing, will usually be referred to the relevant Tutor (or Housemaster / Housemistress) unless the Head of Department, Head of Section, Deputy Head or, on rare occasions, the Head deems it appropriate for him/her to deal with the matter personally.
- A complaint made directly to the Head may still be resolved at an informal stage.
- The Tutor (or Housemaster / Housemistress) will make a written record of all concerns and complaints and the date on which they were received on iSAMS. Should the matter not be resolved within 5 working days or in the event that the Tutor (or Housemaster / Housemistress) 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 Complaints Procedure.
- If, however, the complaint is against the Head, parents should make their complaint directly to the Chair of Governors. Please see Stage 2 for the relevant contact details.

##### **Prep School:**

- If parents have a complaint they should normally contact their son/daughter's Class Teacher. Email addresses for Prep Years' teachers can be found in the termly calendar. All Prep School staff can be contacted via [wpsoffice@wellington-school.org.uk](mailto:wpsoffice@wellington-school.org.uk). If you are not sure who to contact, please contact the Prep School Office on 01823 668700. Please remember that teachers will have a full programme of teaching and activities and may not be able to get back to you on the same day. They will endeavour to do so within 24 hours.
- 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 a Deputy Head or the Head.
- Complaints made directly to a Deputy Head or the Head will usually be referred to the relevant Class Teacher unless the Deputy Head or, on rare occasions, the Head deems it appropriate for him/her to deal with the matter personally.

- The Class Teacher will make a written record of all complaints and the date on which they were received. Should the matter not be resolved within 5 working days or in the event that the Class 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 Complaints Procedure.
- If, however, the complaint is against the Prep School Head, parents should make their complaint directly to the Headmaster of the Senior School who can be contacted by writing to the School address or by email to [headmastersoffice@wellington-school.org.uk](mailto:headmastersoffice@wellington-school.org.uk).

### **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.
- The Head will acknowledge the complaint in writing, within 5 working days of receiving the complaint, and may wish to speak to or meet with the parents 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. This investigation might be delegated to a member of the Executive Management Team.
- The Head will keep written records of all meetings and interviews held in relation to the complaint.
- 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. The Head will also give reasons for his decision.
- If the complaint is against the Head, the parents can refer it to the Chair of Governors by writing c/o the Clerk to the Governors at the School address or by email to [clerktogovernors@wellington-school.org.uk](mailto:clerktogovernors@wellington-school.org.uk), stating clearly that they are making a complaint. The Chair of Governors, or their nominee will call for a full report from the Head and for all the relevant documents. The Chair of Governors, or their nominees may also call for a briefing from relevant members of staff, and will in most cases, speak to or meet with the parents to discuss the matter further. Once the Chair of Governors is satisfied that, so far as is practicable, all of the relevant facts have been established, the parents will be informed of the decision in writing. The Chair of Governors or their nominee will give reasons for his/her decision.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Complaints Procedure.

### **Stage 3 – Complaints Panel Hearing**

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they must write to the Clerk to the Governors, who has been appointed by the Governors to call hearings of the Complaints Panel (“the Panel”). See Stage 2, above, for contact details.
- The Clerk to the Governors will refer the matter to the Complaints Panel for consideration. The Panel will consist of 3 persons not directly involved in the matters detailed in the complaint and one of whom shall be independent of the management and running of the School. The Clerk to the Governors, on behalf of

the Panel, will then acknowledge the complaint and schedule a Panel hearing to take place as soon as reasonably practicable and, where possible, within 10 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 Panel hearing. Copies of such particulars shall be supplied to all parties not later than 5 working days prior to the Panel hearing.
- The Panel will not consider any evidence which was not considered at stage 2, unless such evidence is directly relevant and has only become available to the Complainants since the Stage 2 decision was made.
- The parents may attend the Panel hearing and be accompanied by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not normally be appropriate. Unless the parents indicate that they are now satisfied with the Stage 2 resolution, the Panel hearing will go ahead notwithstanding that the parents may decide not to attend.
- The manner in which the hearing is conducted shall be at the discretion of the Panel.
- 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, and in what timeframe, it should be carried out.
- After due consideration of all facts they consider relevant, the Panel will make findings as to whether or not the Stage 2 decision was a reasonable one at the time that it was made and, where further additional evidence has come to light since that decision was made the Panel may make findings taking into account that evidence. The Panel may also make recommendations.
  - *Findings*: the Panel may dismiss or uphold the complaint;
  - *Recommendations*: the Panel may make recommendations to the Head or the full Governing Body, as appropriate. It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, pupils or parents, although they may recommend these actions to the Head or the Governing Body.
- The Panel will write to the parents informing them of its decision and the reasons for it, within 5 working days following the hearing (although additional time may be required if it is necessary to carry out further investigations following the hearing). The decision of the Panel will be final. A copy of the Panel's findings and recommendations (if any) will be sent to the parents by electronic mail or otherwise given to the parents and, where relevant, the person complained about as well as the Chair of Governors and the Head. A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the School premises by the Chair of Governors and the Head.

#### **4. Timeframe for Dealing with Complaints**

All complaints will be handled seriously and sensitively. They will be acknowledged within 5 working days if received during term time and as soon as practicable during holiday periods.

It is in everyone's interest to resolve a complaint as speedily as possible: the School's targets for dealing with complaints are as follows:-

Stage 1 – complaints will, where possible, be acknowledged within one working day and resolved within 5 working days of receipt.

Stage 2 – complaints will be acknowledged within 5 working days of receipt by the Head and resolved within 20 working days of receipt.

Stage 3 – a Complaints Panel hearing will, where reasonably practicable, be convened within 10 working days of receipt of the complaint, or as soon as possible thereafter by the Clerk to the Governors and a copy of the Panel's findings will be sent to the parents within 5 working days following the Panel hearing.

Please note that, for the purposes of this procedure, 'working days' refers to weekdays (Monday to Friday) during term time, excluding bank holidays. In relation to all complaints, parents will be kept informed where the School requires reasonable additional time for investigations to be carried out.

## **5. 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 informal stage, the formal stage or proceed to a panel hearing 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, which is available in the Policies section of the School website (<https://www.wellington-school.org.uk/senior/information/policies>) 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 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 of the Panel hearing
- The Panel's written decision

This may include 'special category personal data (as further detailed in the School's Privacy Notice, but potentially including sensitive data such as information relating to physical or mental health) where this is necessary owing to the nature of the complaint.

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, but in most cases for a period of at least six years after the pupil leaves the School.

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.

Wellington School will provide ISI/Ofsted, on request, with a written record of all complaints made during any specified period, and the action that which was taken as a result of each complaint. The record of any such complaints will be kept for at least 3 years.

Parents may complain directly to Ofsted or to ISI if they believe the provider is not meeting the EYFS requirements. Schools must make available details of how to contact Ofsted and/ or ISI:

- Ofsted may be contacted on 0300 1234 234 or by email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)
- ISI may be contacted on 020 7600 0100 or by email: [concerns@isi.net](mailto:concerns@isi.net).