

Queenswood



COMPLAINTS POLICY

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QUEENSWOOD SCHOOL COMPLAINTS POLICY

Introduction

Queenswood 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 with care and in accordance with this Complaints Procedure. Queenswood 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 Queenswood School 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, and of the number of complaints registered under the formal procedure during the preceding school year. In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, Queenswood School will also make available, on request, to Ofsted, the Department for Education (DfE) or the Independent Schools Inspectorate (ISI), details of this Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year.

Although this Procedure 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. Boarding pupils may raise concerns or complaints about their boarding provision in accordance with the process laid out in the Boarders Handbook.

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 - the school will not normally look at matters which are not associated with the scope of the initial complaint. The only exception to this is if the complaint is a review of a decision taken by the Principal to exclude or require the removal of a pupil under the School's Terms and Conditions 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.

Complaints by persons not covered by this Policy should be made directly to either the Bursar or Principal at bursar@queenswood.org. The School will engage separately on these matters.

"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.

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 Education and Skills Act 2008 requests access to them. There may also be other circumstances in which the School is required to share information relating to a concern or a complaint in order to comply with its legal or regulatory obligations.

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.

The Three-Stage Complaints Procedure

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 child's Tutor, Head of Year, Housemistress or Houseparent. If they cannot resolve the matter alone it may be necessary for them to consult a Deputy Head.
- Complaints made directly to Deputy Head will usually be referred to the relevant Tutor, Head of Year, Housemistress or Houseparent unless the Deputy Head deems it appropriate for them to deal with the matter personally.
- The Tutor, Head of Year, Housemistress or Houseparent 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 ten working days** or in the event that the Tutor, Head of Year, Housemistress or Houseparent 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 the complaint is against the Principal, parents should make their complaint directly to the Chair of Governors, c/o bursar@queenswood.org.

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 Principal **within ten working days** of the outcome of the informal resolution. This complaint should include a statement as to precisely what parents feel might resolve the matter. The Principal may in some circumstances deem it appropriate to nominate a staff member to hear the complaint and manage the Stage 2 complaint process. The Principal (or their nominee) will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Principal (or their nominee) will speak to the parents concerned, **within five 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 further investigations to be carried out. The Principal (or their nominee) will determine who should carry out any investigation and this may be someone external to the School.
- **Written records** will be kept of all meetings and interviews held in relation to the complaint.
- Once the Principal (or their nominee) 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 Principal (or their nominee) will also give reasons for their decision. In most cases, the Principal will make their decision and provide the parents with reasons **within ten working days** of the complaint being put in writing.
- If the complaint is against the Principal, the complaint should be made to the Chair of Governors, c/o bursar@queenswood.org. The Chair of Governors will nominate someone to determine the complaint. The Stage 2 process described above will then be followed as if the references to the Principal (or their nominee) is to the individual nominated by the Chair of Governors to determine the complaint against the Principal.
- 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 should do so in writing to the Chair of Governors, c/o bursar@queenswood.org, **within ten working days** of receiving the decision at Stage 2, setting out their grounds of appeal. Any supporting evidence which the parents wish to rely on should also be provided with their grounds of appeal. To the extent the parents are unable to provide their complaint within the time period stipulated due to extenuating circumstances which have impeded the parents from taking action, the parents should request an extension in writing. Such a request should be made to the Chair of Governors, c/o bursar@queenswood.org, in advance of the original deadline, setting out the further time period requested and the reason for this. This will be considered. In the event the parents are unable to provide their complaint within the time period stipulated (including to the extent applicable any extensions if agreed) the School reserves the right to conclude the complaint process and not progress the matter to Stage 3.
- **The Bursar, who has been appointed by the Governors to call hearings of the Complaints Panel, will then refer the appeal to the Complaints Panel for consideration. The Panel will consist of 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 Chair of Governors will appoint one Panel member to act as Chair of the Panel. The Bursar, on behalf of the Panel, will then acknowledge the complaint **within five working days** and schedule a hearing to take place **within 20 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 or further investigation be carried out. Copies of such particulars shall be supplied to all parties **not later than 5 working days** prior to the hearing.
- **The parents may attend the hearing and be accompanied to the hearing by one other person if they wish.** The Stage 2 decision-taker shall also be entitled to be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or friend, but not a minor or a pupil of the school. Legal representation will not be appropriate and the companion should not be a lawyer. The Panel will decide whether it would be helpful for witnesses to attend.
- The remit of the Panel shall be at the discretion of the Chair of Governors and 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 it should be carried out.
- After due consideration of the merits of the complaint and all facts they consider relevant, **the Panel will make findings as to whether or not the Stage 2 decision was a reasonable one and decide whether to:**
 - dismiss the complaint(s) in whole or in part;
 - uphold the complaint(s) in whole or in part; and
 - make recommendations.
- It is not in the powers of the Panel to make any financial award, nor to impose sanctions on staff, pupils or parents. The panel make recommendations on these, or any other issues to the Principal 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 of 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 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 Stage 2 decision-taker. 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 Principal.
- Any complaint about a decision taken by the Principal to exclude or require the removal of the pupil under the School's Terms and Conditions will be governed by this Stage 3 of the School's Complaints Procedure.

The timeframe for an appeal about Exclusion and Required Removal is different from other complaints. The appeal should be made in writing to the Chair of Governors, c/o bursar@queenswood.org within 3 working days of the pupil's exclusion/required removal and the school will then seek to resolve this process as soon as possible and typically within 10 working days.

In such circumstances, the Panel may only uphold the complaint and ask the Stage 2 decision-taker to reconsider their decision if they consider, having regard to the process followed by the Principal, that the Principal's decision to exclude / require the removal of the pupil was not a reasonable decision for the Principal to have taken. The outcome of the appeal process is final and there shall be no further right to appeal.

Timeframe for Dealing with Complaints

All complaints will be handled seriously, sensitively and within clear and reasonable timescales.

It is in everyone's interest to resolve a complaint as speedily as possible: the School's target is to complete Stage 1 within 10 working days, Stage 2 within a further 15 working days and Stage 3, the Appeal panel Hearing within a further 30 working days.

The School's target for an Appeal panel hearing relating to Exclusion and Required Removal is 13 working days.

Please note that, for the purposes of this procedure, **working days** refers to weekdays (Monday to Friday) during term time, excluding bank holidays and half term. This means that during School holidays it may take longer to resolve a complaint although the School will do what is reasonably practicable to avoid undue delay. It may also take longer to resolve a complaint during periods of significant disruption to School life or as a consequence of unavoidable staff absence, however deviation from the normal timescale for resolving a complaint during term time will only occur on an exceptional basis, and the School will take all reasonable steps to limit any such delay.

Fees

The process of a complaint does not, in any way, confer a right to stop paying fees. The school must retain its obligation to all parents and ensure that fees are paid on time.

Behaviour

The School is committed to dealing with all complaints fairly and impartially whilst providing a high quality of service to any complainant. In doing so the school will act in a professional manner and as per the Parent Contract, will expect this in return.

In order to facilitate above, the school expects that:

- Complaints are articulate and specify their grounds and outcomes sought
- All parties respect the Complaints Policy, which is a legal requirement
- Time is respected and that trivial or irrelevant information is not added to the complaint in a manner which can detract from the core issue and cause an unnecessary burden on time.
- This policy is used for its intended purpose and not as a vexatious intent to cause administrative hardship.
- The grounds for the complaint do not shift
- The complainant seeks reasonable outcomes
- All parties retain the confidentiality of process
- Communication is reasonable in terms of frequency, length, accuracy and relevance

Should the above matters become concerning, then the school may wish to meet with the complainant to discuss these. Further consideration may then be given to consider imposing some measures to contain above, such as limiting correspondence, or seeking clarity as to the relevance of matters raised.

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. 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/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*, but potentially including, for instance, 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*. All records relating to complaints shall be treated as confidential. In addition to where requested by the Secretary of State or an inspector (see above), there may be other circumstances where disclosure of the substance of a complaint or particular confidential

records relating to it is required, for example, where there is a legal, regulatory, safeguarding or data protection obligation (eg, in response to a subject access request) which prevails over the requirement to maintain the records as confidential.

Closure of Complaints

Very occasionally the School will feel that it needs to close a complaint where the complainant is still dissatisfied. Despite the School's attempts to resolve a complaint, it is sometimes not possible to meet all of the complainant's wishes and there must be an agreement to disagree.

If a complainant persists in making representations to the School, then it can be extremely time consuming and detract from our responsibility to look after all the children in our care. For this reason, the school is entitled to close correspondence (including personal approaches, telephone calls, letters or emails) on a complaint where the School feel it has taken reasonable actions to resolve the complaint and the complaint has exhausted our official process.

Where a complainant has been through the School's internal complaints procedures and is still unhappy with the outcome or decision from the Governing Body, then the DFE School Complaints Unit can be approached via the DFE website. The DFE advise that unless the school is shown to have behaved unreasonably or not to have followed their own procedures, there is likely to be little further action that can be taken, as Governing Bodies are empowered to deal with many issues without reference to either local authority or the secretary of state.