



## Complaints Policy

<b>This policy will be reviewed annually</b>
Policy reviewed: December 2018 by LTB/JG
Next review: July 2019 by LTB/JG

This policy is applicable to all pupils, including those in the EYFS.

**This policy is available on request and is published on the school's website.**

### 1. Introduction

- (i) Wimbledon Common Prep School ("the school") is committed to providing a high level of teaching and pastoral care for its pupils. However if a parent does have a complaint (including a complaint relating to our fulfilment of the EYFS requirements) they can expect it to be treated by the school with care and in accordance with this procedure.
- (ii) If a parent (which term includes a guardian and may at the school's sole discretion include a parent of a former pupil and parents of prospective pupils) of a pupil has a complaint or a significant concern in relation to that pupil, the school will seek to resolve that complaint promptly, fairly and, if possible, informally. This procedure will be used for that purpose.
- (iii) In this policy a complaint means an expression of dissatisfaction with a real or perceived problem. A complaint is likely to arise if a parent believes that the school had done something wrong, failed to do something that it should have done or has acted unfairly. It may be made about the school as a whole, a specific department or about an individual member of staff. Any matter about which a parent is unhappy and seeks actions by the school is within the scope of this policy except for the following:
  - a. if a pupil has been expelled or removed (Exclusion Policy) or;
  - b. if a safeguarding issue has arisen (Safeguarding Policy).
- (iv) This policy has been approved by the headteacher and by the Education Committee of the governing body of the school and provides guidelines for handling concerns and complaints. It takes account of Part 7 of the Schedule to the Education (Independent School Standards) (England) Regulations 2014. The procedures below may be adapted as necessary to meet the policy aims and circumstances of each case. Certain of the procedures can only be carried out during term time. Where the term "working days" is used this shall mean any day that is not a Saturday or a Sunday or a bank holiday and which falls within the school's term time as published on the school's website.

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## **2. Stage 1 – Informal Resolution**

- (i) A parent with a complaint shall wherever possible, in the first instance, contact the pupil's class teacher, who shall do everything possible to resolve the matter straightaway to the parent's satisfaction.
- (ii) If the class teacher is not able to resolve the matter alone, he or she may seek assistance from the head of the department or from the deputy head or the head teacher.
- (iii) Where a parent initially contacts a head of department, the deputy head or the head teacher, he or she will refer the complaint to the pupil's class teacher unless, in the circumstances of the particular case, he or she decides that it is not appropriate to do so.
- (iv) . If after 10 working days of a complaint being made a parent is not satisfied that the matter has been resolved they may proceed to stage 2 of this policy.
- (v) In some limited circumstances and at the discretion of the head, the matter may be dealt with under stage 2 of the complaints policy, without first seeking to resolve the complaint through Stage 1 (Informal Resolution). However, Informal Resolution, wherever possible, will be the first stage of the complaints process and will usually be in the best interests of all parties.
- (vi) If the complaint is made against the head teacher the parents should make their complaint directly to the Chairman of Governors, who will appoint a member of the governing body to follow the complaints process set out in this policy. The chairman of Governors can be contacted via the secretary to the governors at the address set out in paragraph 5 (iv) below.

## **3. Stage 2 – Formal Resolution**

- (i) Under the stage 2 of this policy (Formal Resolution) the parent should address the complaint in writing to the head master stating that it is made under stage 2 of the school's complaints policy.
- (ii) Wherever possible the head will contact the parent within 10 working days of receiving the complaint in order to discuss the matter and achieve an acceptable resolution or at the head teacher's discretion, confirm that the complaint will proceed directly to step (iii) below.
- (iii) Where a resolution has not been reached under step ((ii) (a)) or the head teacher has dispensed with step (ii (a)) the head teacher may ask a senior member of staff who has not been involved in the matter that is the subject of the complaint, to act as 'investigator'. The investigator may request additional information from the parent and may wish to speak to them and others who have knowledge of the circumstances. The investigator will report the outcome of the investigation to the head. At the head teacher's discretion this step may be dispensed with and the head teacher may reach a decision on the evidence without appointing an investigator.

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- (iv) The head teacher's decision and her reasons for it, shall be set out in writing and sent to the parent within 15 working days of the head master contacting the parent under step (ii) unless paragraph (v) below applies.
- (v) Where the written complaint relates to the fulfilment of an EYFS requirement the parent will be notified of the outcome within 28 days of receipt of the initial written complaint.
- (vi) Where a parent is still not satisfied that the matter has been resolved they may proceed to stage 3. .

#### **4. Stage 3- Panel Hearing**

- (i) A parent may request a panel hearing by sending details of a complaint which they believe has not been resolved at stage 2 to the secretary to the governors within seven days of the date of the decision complained of. The letter should give full details of the complaint and state the outcome which is sought. The letter will be acknowledged by the secretary to the governors within five working days indicating whether any further information is required, the action that will be taken and the likely timescale.
- (ii) The secretary to the governors shall then convene a panel as soon as is reasonably practicable to deal with the complaint but the panel will not normally sit during half-terms or school holidays. The panel shall be made up of at least three persons each of whom is not directly involved in the matters detailed in the complaint. One member of the panel shall be independent of the management and running of the school. The other two members of the panel shall be drawn from the governing body.
- (iii) The secretary to the governors shall then acknowledge the complaint, inform the parent of the composition of the panel and schedule a hearing date which will be as soon as possible and within 28 days from receipt of the complaint, though this may not be possible if the complaint is received outside term time.
- (iv) Where a parent has requested a panel hearing, the panel hearing will take place unless the parent later indicates that they are now satisfied and do not wish to proceed further.
- (v) Unless such notice is given, the panel hearing will proceed whether or not the parent decides to attend. If the parent decides not to attend the panel will consider the parent's complaint in their absence and issue findings on the substance of the complaint.
- (vi) The panel may decide to require additional material or further particulars of the complaint, or any related matter, in advance of the hearing. Any such additional material or further particulars shall be supplied to all parties at least 7 working days before any hearing to consider the complaint and, if necessary, the hearing date shall be deferred.
- (vii) A parent may attend the hearing of the panel and be accompanied by a friend or relative. Legal representation is neither necessary nor appropriate but if the parent

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wishes to be accompanied by a legally qualified person, acting in his or her professional capacity, the school must be notified at least 7 working days before the hearing.

- (viii) The hearing will be a private proceeding chaired by one member of the panel (chosen by themselves) and will be conducted in an informal manner. 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. 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 the hearing is terminated for this reason, the original decision will stand. Any parent who is dissatisfied with any aspect of the way the hearing is conducted must say so before the proceedings go any further and their comment will be minuted. The role of the panel is to establish the facts surrounding the complaints by considering the documents provided by both parties and any representations made by the parties at the hearing. The panel is not empowered to make any financial award nor impose sanctions on staff, pupils or parents. At the hearing the panel will attempt to achieve a resolution.
- (ix) Where a resolution has not been reached and where the panel is satisfied that it has established all the relevant facts (if necessary having carried out further investigations) and has duly considered all that the parent and the school has said, the panel shall make its findings and recommendations (if any). If the panel considers that the complaint has been proven, it will uphold the complaint. If the panel does not consider that the complaint has been proven, it will dismiss the complaint. These decisions will be made on the balance of probabilities. The decision of the panel is final.
- (x) The panel's findings and any recommendations (which shall be made not later than fourteen days from the date of the final hearing) and its reasons for them, shall be recorded in writing and sent to the parent, the head, the secretary to the governors and, where relevant, the person complained about. The decision, findings and any recommendations will be made available for inspection on the school premises by the governing body and the head.

## **5. Confidentiality and Records**

- (i) All concerns and complaints are treated seriously and kept confidential. All correspondence, statements and records relating to the complaint are kept confidential except in so far as is required of the School by paragraph 33 of the Education (Independent Schools Standards) Regulations 2014; where disclosure is required by the Secretary of State or a body conducting an inspection under section 108 or 109 of the Education and Skills Act 2008; or where any other legal obligation prevails.
- (ii) The record of formal complaints made under this procedure must record whether the complaint has been resolved following an informal or formal procedure or whether it has proceeded to a panel hearing. It must also give details of the action taken by the school as a result of these complaints, regardless of whether the complaint has been upheld.
- (iii) Details of individual complaints will be kept in accordance with the school's information and records retention policy which can be found on the school's website.

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- (iv) The number of complaints registered under the formal resolution procedure in the preceding school year is available from the secretary to the governors by writing to:

Secretary to the Governors  
King's College School  
Southside  
Wimbledon Common  
London  
SW19 4TT  
By email: [AM.Clarke@kcs.org.uk](mailto:AM.Clarke@kcs.org.uk)

- (v) Parents may contact OFSTED or ISI directly should they feel the school is not meeting the EYFS requirements on the contact details set out below:

**Telephone:** OFSTED: 0300 123 1231.  
**Email:** [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk).

ISI: 020 7 600 0100  
[Concerns@isi.net](mailto:Concerns@isi.net)