



COMPLAINTS POLICY (602)

Introduction

St Mary's School Ascot is proud of 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 in accordance with this Complaints Policy.

The Complaints Policy is available to all parents of current pupils and prospective parents on the school website. The Policy is also available to current parents in the School Handbook which can be accessed on parent SMILE and to current and prospective parents by contacting the PA to the Headmistress – pdewes@st-marys-ascot.co.uk or 01344 296602.

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

Complaints by parents of former pupils will be dealt with under this Complaints Policy 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 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 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.

"Parent(s)" means the holder(s) of parental responsibility for a current or prospective 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, about a boarding matter, or about an individual member of staff. Any matter about which a parent is unhappy and seeks action by the School is within the scope of this Policy. 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 the pupils and parents can be assured that a pupil will not be penalised for a complaint that a parent raises in good faith.

The Three-Stage Complaints Procedure

Stage 1 – Informal Resolution

- If parents have a concern or a complaint they should normally contact their daughter's Head of House, who will take the lead on resolving the issue quickly and informally.

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- The School encourages parents to raise any concerns they might have informally with the Head of House as soon as the concern develops and no matter how minor the concern is.
- The Head of House must make a judgement as to when a concern changes to a complaint. The School does not require a minor concern to be recorded in writing, although the Head of House may make notes in fulfilling their broader remit of care. A complaint at 'Stage 1 – Informal' does require the Head of House to generate a written record and a record of the date the complaint was received.
- The School aims to resolve a complaint as soon as possible and within 5 working days of the complaint being received. Due to the nature of some complaints, it may require longer than 5 working days to be satisfactorily resolved at 'Stage 1 – Informal'. If that is the case the Head of House should remain in close contact with the parents keeping them informed on progress in resolving the issue.
- In the event that the Head of House and the parents fail to reach a satisfactory resolution then parents will be advised to proceed with their complaint in accordance with Stage 2 of this Complaints Policy.
- If the complaint is against the Headmistress, parents should make their complaint directly to the Chair of Governors whose contact details are available from the Clerk to the Governors on request.

Stage 2 - Resolution by Headmistress of Formal Complaint

- If the complaint cannot be resolved on an informal basis, then the parents may make a formal complaint in writing by email or letter to the Headmistress. The Headmistress will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Headmistress will speak to the parents concerned, normally within 5 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 Headmistress, or her nominee, to carry out further investigations.
- The Headmistress will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Headmistress 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. This decision will normally be reached and communicated to parents within 20 working days of the complaint being put in writing. The Headmistress will also give reasons for her decision.
- If the complaint is against the Headmistress, the complaint should be made to the Chair of Governors (contact through the Clerk to the Governors). The Chair of Governors or their nominee will call for a full report from the Headmistress and for all the relevant documents. The Chair of Governors or their nominee may also call for a briefing from 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 or their nominee 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 their decision.
- If parents are still not satisfied with the decision, they may proceed to Stage 3 of this Complaints Policy.

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 Clerk to the Governors within 5 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.
- The Clerk to the Governors, on behalf of the Panel, will then acknowledge the complaint within 5 working days and schedule a hearing to take place within 20 working days.
- The Clerk to the Governors, 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

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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.

- 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 Headmistress 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. Legal representation will not normally be appropriate. Five working days' notice to the Clerk to the Governors is required if the parents wish the Chair of the Panel to consider permitting the parents to be accompanied by a legal representative or a legally qualified friend. 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 Chair 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.
- Those present at the Panel Hearing will normally be:
 - Members of the Complaints Panel.
 - The Headmistress.
 - Parents or those with parental responsibility.
 - The pupil, if agreed by both parties.
 - Clerk to the Governors.
- If the parents choose not to attend, or the pupil has left St Mary's since the complaint was registered, the panel hearing should still go ahead in their absence unless the parent indicates that they are now satisfied and do not wish to proceed further.
- 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.
- The Chair of 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 Headmistress. 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 Headmistress.
- Any complaint of a decision taken by the Headmistress to exclude or require the removal of the pupil under clause 7 of the school's Terms and Conditions will be governed by this Stage 3 of the school's Complaints Policy. In such circumstances, the Panel may only uphold the complaint and ask the Headmistress to reconsider her decision if they consider, having regard to the process followed by the Headmistress, that the Headmistress's decision to exclude / require the removal of the pupil was not a reasonable decision for the Headmistress to have taken.

Timeframe for Dealing with Complaints

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

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It is in everyone's interest to resolve a complaint as speedily as possible: the school's target is to complete the first two stages of the procedure within 20 working days. Stage 3, the Appeal Panel Hearing, will be completed within a further 20 working days with the decision of the panel disseminated within 25 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.

A parent who is dissatisfied with the handling or resolution of a complaint about the welfare of a pupil may contact the Care Quality Commission (formerly the National Care Standards Commission) by telephone: 03000 616161 or by e-mail: enquiries@cqc.org.uk

Persistent Correspondence

Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, this may be regarded by the School as vexatious and outside the scope of this policy.

Recording Complaints and use of personal data

The school processes data in accordance with its Privacy Notices, published on the school's website, and its Data Protection Policy. 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.
- The Panel's written decision.

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

Following resolution of a complaint, the school will keep a written record of all formal complaints, whether they are resolved at the formal stage (Stage 2) or proceed to a Panel hearing (Stage 3), or later withdrawn and any action taken by the School as a result of the complaint (regardless of whether the complaint is upheld). The school will keep records as required by regulation (including the identification of those complaints that relate to boarding provision), and in accordance with its Privacy Notices, Data Protection

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Policy and Record Keeping Policy. The School will keep under review records of complaints to identify any emerging patterns. The number of complaints registered under the formal procedure during the preceding school year is available to parents and parents of prospective pupils on application to the Headmistress.

Confidentiality

Parents can be assured that all concerns and complaints will be treated seriously and confidentially, and will be disclosed to and discussed only with relevant staff. Correspondence, statements and records relating to a complaint will be 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 or where any other legal obligation prevails.

Contact details

Headmistress: Mrs Danuta Staunton, dstaunton@st-marys-ascot.co.uk, 01344 296601

Clerk to the Governors: Mr Giles Brand, gbrand@st-marys-ascot.co.uk, 01344 296620

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