



# ST MARY'S SCHOOL HAMPSTEAD

**Complaints POLICY**

**September 2018**

Reviewed September 2018  
Next Review Date: September 2019

## **St Mary's School, Hampstead Complaints Procedure**

### **INTRODUCTION**

All independent schools are required by law to draw up and implement a complaints procedure for parents of pupils which complies with the provisions of The Education (Independent School Standards) Regulations 2014 ("ISS Regulations"), paragraph 32(1)(b) of Schedule 1. St Mary's School, Hampstead will make available to parents of pupils and of prospective pupils and provide, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate, details of the complaints procedure, and of the number of complaints registered under the formal procedure during the preceding school year, in accordance with the provision of information requirements in Part 6 of Schedule 1 to the ISS Regulations 2014.

St Mary's School (hereafter referred to as 'the School') prides itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a concern or a complaint they can expect it to be treated by the School with care and in accordance with this procedure. The School makes its Complaints Procedure available to all parents of pupils and prospective pupils on the School's website, and will ensure that parents of pupils and of prospective pupils are made aware that copies of this document are available upon request. The policy applies to complaints from parents of current students and to parents of former students if the complaint was raised when the student was registered at the School.

### **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] raises in good faith.**

### **The three-stage complaints procedure**

This policy describes a three-stage procedure:

**Stage 1:** informal raising of a complaint notified orally or in writing to a member of staff.

**Stage 2:** a formal complaint in writing to the Headmistress.

**Stage 3:** a reference to the Complaints Panel.

### **Stage 1 – Informal Resolution**

- It is hoped that most concerns and complaints can be resolved informally and speedily, without the need for formal procedures, to the parents' satisfaction. Should parents have a concern or complaint they should normally contact their daughter's or son's class teacher. In many cases the matter will be resolved straightaway by this means. Every effort will be made to allay concerns at this stage. If the class teacher cannot resolve the matter alone, it may be necessary for her or him to consult a senior colleague.
- Complaints made directly to the Deputy Headmistress/the Headmistress will usually be referred to the relevant teacher unless the Deputy Headmistress/the Headmistress deems it appropriate to deal with the matter personally.
- The teacher will make a written record of all concerns and complaints and the date on which they were received, as well as the action taken in regard to them. Should the matter not be resolved satisfactorily within 5 working days then parents will be advised to proceed with their complaint in accordance with Stage 2 of this procedure.
- If the complaint concerns the Headmistress, parents should make the complaint directly to the Chair of Governors.

### **Stage 2 – Formal Resolution**

- If the matter cannot be resolved on an informal basis, parents should put their complaint in writing to the Headmistress, who will consider it and decide the appropriate course of action.
- The complaint will be acknowledged within 2 working days. In most cases the Headmistress will meet with the parents within working 5 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 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 the relevant facts have been established, the aim will be to inform the complainant in writing of the outcome of the investigation and the resolution. The Headmistress will also give reasons for her decision. This will normally be within 28 days of the receipt of the complaint.
- Where a written complaint concerns EYFS requirements, the complainant will always be informed of the outcome of an investigation within 28 days.
- If the complaint concerns the Headmistress, the Chair of Governors will call for a full report from the Headmistress and for all the relevant documents. The Chair 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 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 will give reasons for his/her decision.

- If the parents are not satisfied with the decision at Stage 2, they may proceed to Stage 3 of this procedure.

### **Stage 3 – Panel Hearing**

- If, following a failure to reach an earlier resolution, parents seek to invoke Stage 3 of the procedure, they will be referred to a convenor who has been appointed by the Governing Body to call hearings by a Complaints Panel.
- The matter will then be referred to the Complaints Panel for consideration. A panel hearing is a review of the particulars of the complaint and decisions taken by the Headmistress or Chair of Governors at Stage 2. The Panel will not consider any new areas of complaint that have not previously been raised as part of the complaints procedure.
- The Panel will consist of three persons not directly involved in the matters detailed in the complaint, of whom one shall be independent of the management and running of the school. The Board of Governors shall appoint each of the Panel Members.
- The convenor, on behalf of the Panel, will acknowledge the complaint and will schedule a hearing to take place as soon as is practicable and normally within 10 working days.
- As soon as reasonably practicable and in any event not later than 5 working days before the hearing, the Clerk to the Panel will send parents written notification of the date, place and time of the hearing. 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. Such details shall be put in writing and copies provided to all parties not later than 5 working days prior to the hearing.
- The parents will be invited to attend the hearing and may if they wish be accompanied by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.
- The Complaints Panel will hear parents without preconceptions, examine and discuss the matter fully, give parents the opportunity to express their concern and suggest what might put matters right. 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 that they consider relevant, the Panel will make findings and may make recommendations.
- The Panel will write to 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 in writing by electronic mail or given to the parents and, where relevant, the person complained about, as well as to 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's premises by the Chair of Governors and the Headmistress.

- A hearing before the Complaints Panel is a private proceeding. 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.

The completion of Stage 3 represents the conclusion of the School's complaints procedure.

#### Timeframe for dealing with complaints

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

It is in everyone's interests to resolve a complaint as speedily as possible: the School aims to complete the first two stages of the procedure within 20 working days. Stage 3 will be completed within a further 20 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.

#### Recording Complaints

Following resolution of a complaint, the School will keep a written record of all formal complaints, whether they were resolved at the informal stage or proceeded to a panel hearing and any action taken by the school as a result of the complaint (regardless of whether the complaint is upheld). At the school's discretion, additional records may be kept which may contain the following information:

- 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)

**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.**

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

**Parents may complain directly to Ofsted or to ISI if they believe the School is not meeting the EYFS requirements.**

- **ISI may be contacted on 020 7600 0100 or by email: [concerns@isi.net](mailto:concerns@isi.net) Independent Schools Inspectorate, First Floor, CAP House, 9-12 Long Lane, London EC1A 9HA**
- **Ofsted may be contacted on 0300 123 4234 or by email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)**