



# ST MARY'S SCHOOL HAMPSTEAD

**Complaints POLICY**

**September 2020**

Reviewed September 2020  
Next Review Date: September 2021

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

### **INTRODUCTION**

St Mary's School Hampstead 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. St Mary's School Hampstead 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 St Mary's School Hampstead 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 is not, however, available for use by prospective parents – it may only be used by parents of current pupils.]

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.

In accordance with paragraph 32(1)(b) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, **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 School's Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year.**

"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.

**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 (including to the Headmistress).
- **Stage 2:** a formal complaint in writing to the Headmistress stating that the complaint should be treated as a formal complaint.
- **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.
- 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, or in the event that the 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 the complaint concerns the Headmistress, parents should make the complaint directly to the Chair of Governors whose contact details are available from the School on request.

### **Stage 2 – Formal Resolution**

- If the matter cannot be resolved on an informal basis, parents should put their complaint in writing to the Headmistress (stating that they wish the complaint to be considered formally), who will consider it and decide the appropriate course of action.
- In most cases the Headmistress will meet with the parents 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 their 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. The Headmistress will also give reasons for her decision. In most cases, the Headmistress will make her decision and provide the parents with reasons within 15 working days of the complaint being put in writing.
- 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 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 will give reasons for his 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 parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they should do so in writing to the Angela Arthur, Secretary to the Trustees and Governors within 5 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 Secretary to the Trustees and Governors, Angela Arthur, 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 and one of whom shall be independent of the management and running of the School. The Complaints Panel will appoint one of the Panel members to act as the Chair of the Panel. The Secretary to the Trustees and 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.
- 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. 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. This may be a relative, teacher or friend. Legal representation will not normally be appropriate. The Panel will decide whether it would be helpful for witnesses 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 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 and accordingly decide whether to:
  - dismiss the complaint(s) in whole or in part;
  - uphold the complaint(s) in whole or in part; and
  - may make recommendations.
- 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, the Chair of Trustees 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 Trustees, the Chair of Governors and the Headmistress.

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. 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 be permitted on an exceptional basis, and the School will take all reasonable steps to limit any such delay.

### Recording Complaints

Following resolution of a complaint, the School will keep a written record of all formal complaints, whether they were resolved at the formal stage (Stage 2) or proceeded 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 which can be found on our website (<https://www.stmh.co.uk/privacy/>). 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 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. This data will be processed in accordance with the School's Data Protection Policy.

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.

For the academic year 2019/20, the School received 0 formal complaints.

Parents of EYFS children should follow the three stages of this Complaints Procedure. If parents remain dissatisfied and their complaint is about the School's fulfilment of the EYFS

requirements, then parents may take their complaint to the ISI or Ofsted. Parents will be notified by ISI or Ofsted of the outcome of the investigation into their complaint within 28 days of the complaint being received.

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 in accordance with its Privacy Notice.

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 the ISI:

Ofsted can be contacted on 0300 123 1231 or by email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD

ISI can be contacted on 020 7600 0100 or by email: [concerns@isi.net](mailto:concerns@isi.net)

[ISI, CAP House, 9-12 Long Lane, London EC1A 9HA](#)