



### **Complaints Procedure**

<b>Owner(s)</b>	Principal
<b>Last review date</b>	September 2024
<b>Governor committee</b>	Full Board
<b>Governor review date</b>	Autumn Term 2024
<b>Next review date</b>	September 2025
<b>Document availability</b>	Internal: T:\School Management\POLICIES\Whole School External (if applicable): <a href="http://www.queensgate.org.uk">www.queensgate.org.uk</a>

**This policy applies from PRELIMINARY – KS5**

### **COMPLAINTS PROCEDURE**

#### **Introduction**

Queen's Gate 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. Queen's Gate School makes its Complaints Procedure available to all parents of pupils and of prospective pupils on the School's website and in the Principal's office during the School day, and Queen's Gate 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 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.

However, although this Complaints Procedure is made available to parents of prospective pupils of the School as stated above, in accordance with the ISS Regulations, it is not available for use by them. It may only be used by parents of current or, in certain circumstances, of former pupils (see below). If a prospective parent is unhappy and wishes to appeal an admissions decision, they should follow the procedure set out in the Admissions Policy.

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. If the complaint is a review of a decision taken by the Principal to exclude or require the removal of a pupil under clause 10 of the School's Terms and Conditions ("Parent Contract"), proceedings will be governed by the School's Exclusions Policy and not by this Complaints Procedure.

In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, Queen's Gate School will also make available, on request, to Ofsted, the Department for Education (DfE) or to 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. Please contact the Principal's PA if you would like to request this information.

The School will be mindful of its obligations under the Equality Act 2010 in the application of this policy.

"Parents" means the holder(s) of parental responsibility for a current or a 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 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.

All 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 108 or 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 will be resolved quickly and informally.
- If parents have a complaint, they should normally contact their daughter's Form Teacher or Head of Year. If the Form Teacher/Head of Year cannot resolve the matter alone, it may be necessary for him/her to consult a Head of Department, SMT, Director of the Junior School or the Principal.
- Complaints made directly to a Head of Department, SMT, Director of the Junior School or the Principal will usually be referred to the relevant Form Teacher or Head of Year unless the Head of Department, SMT, Director of the Junior School or the Principal deems it appropriate for him/her to deal with the matter personally.
- The Form Teacher/Head of Year will make a written record of all complaints, the date on which they were received and the outcome. All complaints should be acknowledged within two working days during term time. Should the matter not be resolved within twenty working days during term time, or in the event that the Form Teacher/Head of Year 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 Procedure.
- If the complaint is against the Principal, parents should make their complaint directly to the Chair of Governors by a letter addressed to the Clerk to the Governors at the School.

#### **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. Parents are encouraged to complete the School's Complaints Form to proceed to Stage 2, although this is not mandatory. A copy can be obtained from the Principal's PA or it can be sent to you on request. All complaints under Stage 2 should be acknowledged within two working days during term time. The Principal will decide, after considering the complaint, the appropriate course of action to take. The Principal may in some circumstances deem it appropriate to nominate a member of staff to hear the complaint and to manage the Stage 2 complaint process.
- In most cases, the Principal (or her nominee) will meet/speak to the parents concerned, 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 her nominee will determine who should carry out any further 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 her 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 her nominee) will also give reasons for the decision. In most cases, the decision will be made and the parents will be provided with reasons within twenty working days during term-time, of the complaint being put in writing under Stage 2, unless it is not reasonably practicable.
- If, however, the complaint is against the Principal, then the Chair of Governors will nominate someone to determine the complaint. The Stage 2 process described above will then be followed as if references to the Principal (or her nominee) are 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 Queen's Gate School, within five working days of receiving the decision at Stage 2, setting out their grounds of appeal. Any supporting evidence upon which the parents wish to rely, should also be provided with their grounds of appeal. Parents are encouraged to complete the School's Complaints Form to proceed to Stage 3, although this is not mandatory. A copy can be obtained from the Principal's PA or it can be sent to you on request. To the extent that parents are unable to provide their grounds of appeal within the time stipulated, due to extenuating circumstances, the parents should request an extension in writing. Such a request should be made to the Chair of Governors, c/o Queen's Gate School, before the expiration of the original deadline, setting out the further time period requested and the detailed reasons for it. The Chair of Governors will consider this request and the parents will be informed of the decision without undue delay. In the event that the parents are unable to provide their detailed appeal within the timeframe stipulated (including to the extent that any extension of time is granted) the School reserves the right to conclude the complaint process and not to progress the matter to Stage 3.
- The Chair of Governors will ask the Clerk to the Governors to call a hearing of the Complaints Panel.
- The matter will then be referred 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 each of the Panel members and will also appoint one Panel member to act as the Chair of the Panel. The Clerk to the Governors, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place, normally within fifteen working days during term time, unless this is not reasonably practicable.

- A bundle of relevant papers will be circulated to the parents and to the Panel, normally, no later than five working days before the hearing, unless it is not reasonably practicable. Any additional documents that the parents wish to include, should be sent to the Clerk to the Governors no later than four working days before the hearing. The Panel may require that further particulars of the complaint or any related matter be supplied in advance of the hearing or that further investigations be carried out. Copies of such particulars shall normally be supplied to all parties no later than three working days before the hearing.
- The parents may attend the hearing and be accompanied to the hearing by one other person. This may be a relative or a friend. 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. Legal representation is not permitted for any party attending the hearing and the companion should not be a lawyer. The Panel will decide whether it would be helpful for witnesses to attend. The School will provide a note taker to take down the Minutes of the hearing.
- Recording the hearing is not permitted by any party.
- The remit of the Panel shall be at the discretion of the Chair of the Panel 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.
- The Panel may proceed with the hearing without the parents present if necessary, to bring the matter to a conclusion.
- 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;
  - make recommendations.
- The Chair of the Panel will write to the parents informing them of its decision and the reasons for it, normally within ten working days of the hearing during term time, unless it is not reasonably practicable or additional time is required 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 these 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 expel or require the removal of a pupil under clause 10 of the School's Parent Contract will be governed by the School's Exclusions Policy and not by the School's Complaints Procedure.

### **Timeframe for Dealing with Complaints**

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

Complaints will normally be acknowledged within two working days during term time and as soon as is reasonably practicable during holiday periods.

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, each within twenty working days if it is term time and as soon as is reasonably practicable if it is during holiday periods.

Stage 3, the Appeal Panel Hearing, will be completed within a further twenty-five working days if it is term time and as soon as is reasonably practicable if it is during holiday periods.

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 terms.

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 result of unavoidable staff absence. However, deviation from the normal timescales 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.

### **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 will be regarded by the School as vexatious and outside the scope of this procedure.

### **Recording Complaints and use of personal data**

Following resolution of a complaint at Stage 2 or at Stage 3, the School will keep a written record of all formal complaints and any action taken by the School as a result of the complaint (regardless of whether the complaint is upheld).

The School processes personal data in accordance with the General Data Protection Regulations 2016 (as applicable) the UK General Data Protection Regulations, the Data Protection Act 2018 and 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:

- Any completed Complaints Form
- Date when the issue was raised
- Name(s) of parent(s)
- Name(s) of pupil(s)
- Description of the issue
- Records of all the investigations (as appropriate)
- Pupil records (as appropriate)
- Witness statements (as 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 meetings, including the Panel Hearing and
- The Panel's written decision

As part of the Complaints Process, we may also process 'special category personal data' (as further detailed in the School's Privacy Notice and/or Data Protection Policy, but potentially including for instance, 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 Privacy Notice and/or Data Protection Policy.

The School will keep records of formal complaints and Complaints Panel hearings, as required by any regulations. It will do so in accordance with its Privacy Notice, Data Protection Policy and Storage and Retention of Records and Documents Policy.

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 of particular confidential records relating to it is required, for example, where there is a legal, regulatory, safeguarding or data protection obligation, which prevails over the requirement to keep the records confidential.

Queen's Gate School 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 the School's Privacy Notice, Data Protection Policy and Storage and Retention of Records and Documents Policy.

In the last academic year, the School received four formal complaints.

**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**