

ISI Policy Reference 33 Policy A14: Complaints Procedure

Introduction

Queen Margaret's School prides 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. The school makes its Complaints Procedure available to all parents of pupils and parents of prospective pupils. It is available on the school's website and in the school office during the school day. The school will ensure that parents of pupils and of prospective pupils who request this procedure are made aware that this document is published or available and of 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.

Although this procedure is made available to parents of prospective pupils, it is not available for use by them; it may only be used by parents of current pupils. This procedure relates to complaints other than those relating to: whistleblowing; staff grievances and disciplinary procedures; matters likely to warrant a child protection investigation; applications for admissions to the school; and complaints about services provided by third parties using school facilities or premises.

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. 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 pupil about whom the complaint relates.

Examinations

Queen Margaret's School has a Complaints and Appeals Procedure which covers general complaints regarding the School's delivery or administration of a qualification as an examination centre.

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.

Procedure

The procedure that the school will follow has three distinct stages, each of which will be conducted by a different person to ensure fairness.

The three stages are:

Stage 1: Informal resolution

Stage 2: Formal resolution

Stage 3: Panel hearing.

Stage 1 - Informal Resolution

It is hoped that most complaints and concerns will be resolved quickly and informally. If parents have a complaint, they should normally contact their daughter's tutor or housemistress. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the tutor or housemistress cannot resolve the matter alone, it may be necessary for him or her to consult a more senior member of staff. Complaints made directly to more senior members of staff will usually be referred to the pupil's tutor or housemistress unless the more senior member of staff deems it appropriate to deal with the matter personally.

On receiving a complaint in person, in writing, by email or by telephone, a tutor or housemistress will make a written record of the concerns raised and the date on which they were received. If the complaint is made in writing or by email, it will normally be acknowledged within **3** working days. In the vast majority of cases, we hope that matters will be resolved quickly to the parents' satisfaction.

We shall, in all cases, investigate the matter fairly and appropriately with any relevant staff. We shall do so as quickly as is practicable without compromising the outcome. If the matter is not resolved within **10** working days, or in the event that the school and the parents fail to reach a satisfactory resolution, then parents will be advised to proceed to Stage 2 (formal resolution).

If, however, the complaint is against the Head, parents should make their complaint directly to the Chair of Governors whose contact details are available from the school on request.

Stage 2 - Formal Resolution

If a complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Head, within **10** working days of the conclusion of Stage 1 above. There may be occasions where the seriousness of the matter (which may include significant safeguarding matters) means that a parent may choose to make a direct formal complaint to the Head. In all cases it should be made clear that it is a **formal complaint**. The Head, or someone on her behalf, will acknowledge receipt of the written complaint within **3** working days and the Head, after considering the complaint, will decide the appropriate course of action to take. In most cases but not invariably, the Head (or if appropriate, another senior member of staff not so far involved with the complaint) will meet or speak to the parents concerned to discuss the matter. This will be within **5** working days of the receipt of the written complaint. If possible, a resolution will be reached at this stage.

It may however be necessary for the Head or another senior member of staff to carry out further investigation. In any case, once he or she 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 the decision and reasons underpinning it, normally within **20** working days of the receipt of the complaint. Written records will be kept of all meetings and interviews held in relation to the complaint.

If the complaint is against the Head, the Chairman of the Board of Governors (or his Deputy in his absence) will call for a full report from the school and for any relevant documents. The Chairman may also call for a briefing from members of staff and will, in most cases but not invariably, 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 Chairman will give reasons for their decision. This will normally be completed within **20** working days from the receipt of the written complaint.

Stage 3 - Panel Hearing

A panel hearing cannot normally be requested unless Stage 2 of this procedure has been completed.

If parents wish to request a panel hearing, they should write to the Clerk to the Governors at the school who will then contact the Chairman of Governors. The parents should state the outcome they desire and all of the

grounds of the complaint. The Panel will not normally accept any new areas of complaint which have not been previously raised during Stages 1 and 2. The matter will then be referred to a complaints panel for consideration. A Stage 3 complaint will be acknowledged within **3** working days and all parties will be kept informed about the arrangements for the convening of the Panel. The Panel will consist of three persons not directly involved in the matters detailed in the complaint, two of whom will be members of the Board of Governors and one of whom shall be independent of the management and running of the school. They will be nominated by the Chairman of the Board of Governors.

The Clerk to the Governing Body, on behalf of the Panel, will acknowledge the complaint and schedule a hearing to take place as soon as practicable, and normally within **20** working days of the parent's request for a panel hearing. If the Panel deems it necessary, it may require that further details of the complaint or any related matter be supplied in advance of the hearing. Copies of such details shall be supplied to all parties not later than **3** working days prior to the hearing.

The Head will not discuss the case with the Panel beforehand. The parents may attend the hearing and be accompanied to the hearing by the pupil(s) concerned (this should only be the case where the pupil is over the age of 16 and with the Chairman of the Panel's consent in advance) and one other person, if they wish, who may speak on their behalf. This may be a relative, teacher or friend. Legal representation will not be permitted. All will meet with the Panel at the same time and the procedure will be run by the Chairman of the Panel. The Chairman of the Panel will set out the procedure to be followed, which will normally involve the parent setting out their reasons for dissatisfaction with the school's response to date with the school being given the opportunity to respond. There will be an opportunity for clarification and discussion of the points raised.

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 hearing may be adjourned for this purpose. On completion of the hearing, the Panel will consider all of the facts they consider relevant. The Panel will then 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 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 Chairman of Governors and the Head. A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the school premises by the Chairman of Governors and the Head.

Any complaint about a decision taken by the Head to exclude or require the removal of the pupil under the school's Terms and Conditions will be governed by this Stage 3 of the school's Complaints Procedure. In such circumstances, the Panel may only uphold the complaint and ask the Head to reconsider her decision if they consider, having regard to the process followed by the Head, that the Head's decision to exclude/require the removal of the pupil was not a reasonable decision for the Head to have taken.

Timeframe for Dealing with Complaints

All complaints will be handled seriously, sensitively and within clear and reasonable timescales. 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 a maximum of **30** working days. Stage 3, the Appeal Panel Hearing, 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 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.

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 procedure.

Recording Complaints and Use of Personal Data

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) 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 is available on the school website.

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, and
- 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, 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 Data Protection Policy.

The school will keep records of formal complaints and Complaints Panel Hearings, as required by regulation. 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.

Other means of complaint

Parents may also complain directly to ISI if they wish. The address is:

Independent Schools Inspectorate
CAP House
9 - 12 Long Lane
London
EC1A 9HA

Email: info@isi.net

In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulation 2014, the school will also make available, on request, to Ofsted, the Department for Education (DfE) or 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.

Number of formal complaints dealt with under this policy in 2020/2021 - **0**

Sue Baillie
Head

Date Agreed: January 2022
Review Date: September 2023