



**The Study Prep**  
WIMBLEDON

Name of Policy	Complaints Policy
Date Reviewed by HMT	May 2023
Date of Next Review	May 2024
Date of Governors' Review	June 2023
Date of Next Governors' Review	June 2024



## The Study Prep WIMBLEDON

### COMPLAINTS PROCEDURE

This policy applies to all pupils including those in Early Years Foundation Stage (EYFS)

#### Introduction

The Study Preparatory School ('the 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 Procedure. The School makes the Complaints Procedure available to all parents of registered pupils on the School's website and in the School office during the school day. It is also available to prospective parents where the complaint concerns the School's admission process. The 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 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. In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulations 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. The policy does also apply to past pupils, but only if the complaint was initially raised whilst the pupil was still registered. 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 of Contract 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. The School will ensure that parents of pupils who request it are made aware that this document is published or available and the form in which it is published or available.

"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 can be about the School as a whole, a specific department or individual staff member, 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 it should have done or has acted unfairly.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records relating to individual complaints are to 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. The School is here for your child and you can be assured that your child will not be penalised for a complaint that you raise in good faith.

## **Timeframe for Dealing with Complaints**

All complaints will be handled seriously and sensitively within clear and reasonable timeframes. They will be acknowledged within five working days if received during term time and as soon as 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 within 28 working days. The timescale is measured in normal school working days whether the complaint is lodged during term time or school holidays. 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.

Stage 3, the Panel Hearing, will be completed within a further 28 working days. Again, the timescale is measured in normal school working days whether the complaint is lodged during term time or school holidays.

### ***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 Form Teacher. In many cases, the matter will be resolved straightaway by this means and to the parents' satisfaction. If the Form Teacher cannot resolve the matter alone, it may be necessary for him/her to consult the Head.

- Complaints made directly to the Head will usually be referred to the relevant Form Teacher unless the Head deems it appropriate for her to deal with the matter personally.
- The Form Teacher will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved within fourteen working days or in the event that the Form Teacher and the parent fail to reach a satisfactory resolution, parents will then be advised to proceed with their complaint in accordance with Stage 2 of this Procedure.
- If, however, the complaint is against the Head, parents should make the complaint directly to the Chair of the Governors, whose contact details are available from the Bursar on request.

## **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 Head. The Head will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Head will meet the parents concerned, normally within 7 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 Head, or their nominee to carry out further investigations.
- The Head will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Head 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. In most cases, the Head will make her decision and provide the parents with reasons within 15 working days of the complaint being put in writing.
- The Head will also give reasons for her decision.
- If the complaint is against the Head, the Chair of Governors or their nominee will call for a full report from the Head and for all 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 all relevant facts have been established, the parents will be informed of the decision in writing, together with reasons for the decision.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this

## **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 Bursar (Clerk to the Governors) within 7 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. To the extent the parents are unable to provide their complaint

- within the time period stipulated due to extenuating circumstances which have impeded the parents from taking action, the parents should request an extension in writing. Such a request should be made to the Bursar in advance of the original deadline, setting out the further time period requested and the reason for this. This will be considered.
- This appeal will be referred to the Chair of Governors, who has been appointed by the Governors to call hearings of the Complaints Panel.
  - The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of at least 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. Each of the Panel members shall be appointed by the Board of Governors. The Chair, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 14 working days.
  - The Panel hearing should proceed notwithstanding that the parent may subsequently decide not to attend. If necessary, the panel should consider the parent's complaint in his/her absence and issue findings on the substance of the complaint thereby bringing the matter to a conclusion.
  - 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 five working days prior to the hearing.
  - The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate. The Head shall also be entitled to be accompanied to the hearing by one other person if they wish.
  - 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 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 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:
    1. dismiss the complaint(s) in whole or in part;
    2. uphold the complaint(s) in whole or in part; and
    3. make recommendations.
  - The Panel will write to the parents informing them of its decision and the reasons for it, normally within seven days of the hearing. The decision of the Panel will be final. The Panel's findings and its recommendations (if any) will be sent by electronic mail or otherwise given to the parents and, where relevant, the person complained of, as well as the 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 Chair of Governors and the Head.
  - Any complaint about a decision taken by the Head 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 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 21 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**

A written record will be kept of complaints made in writing under the formal part of the procedure and whether they are resolved at the Formal Resolution stage or proceed to a Panel hearing. A written record will also be made of action taken by the School as a result of these complaints (regardless of whether they are upheld). The School processes data in accordance with 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:

- Date when the issue was raised
- Parent and pupil names
- Details of the issue
- Records of any investigations and witness statements (where appropriate)
- Details of staff members handling the issues at each stage
- Copies of all relevant correspondence relating to the issue (including emails and records of phone conversations)
- Notes/minutes of the hearing, and
- The Panel's written decision

Records kept 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.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. 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 s 109 of the Education and Skills Act 2008 requests access to them.

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 seven years after the pupil leaves the School.

For EYFS, i.e. the Reception classes, all written complaints will be investigated and complainants notified of the outcome, within 28 days of receiving the complaint. All related documents will be kept by the School for a period of seven years.

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.

The Study 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. Contact details of Ofsted and/ or the ISI is as follows:

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

***For the academic year 2021-2022, 6 complaints were registered under Stage 2 or 3 of the Complaints Procedure.***

**Policy Reviewed: May 2023**