



FARNBOROUGH HILL
WHOLEHEARTEDLY

COMPLAINTS POLICY AND PROCEDURE

Introduction

Farnborough Hill (“the School”) always tries to resolve any concern, difficulty or complaint speedily, sympathetically and effectively. It is hoped that most concerns or complaints will be resolved informally, but this policy makes provision for a formal complaint which will require investigation. The policy has been approved by the Governing Body of the School and it takes account of the *Education (Independent School Standards (England) Regulations 2014)*. Separate procedures apply in the event of a safeguarding or child protection issue or if the Head excludes a pupil or asks her to leave and the parents seek a Governors’ Review of that decision (see *Exclusions Policy*).

The School will try to resolve every concern and complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing our systems and procedures in the light of circumstances. The School needs to know as soon as possible if there is any cause for dissatisfaction. The School recognises that any matter about which a parent of a pupil is unhappy and seeks action by the School is a complaint. It is hoped that most issues can be resolved informally.

References to “parents” include current parents or carers, and a legal guardian.

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.

Three Stages

This policy describes a three-stage procedure:

Stage 1 – Concerns/complaints – Informal Resolution

- We expect that most concerns/complaints will be resolved quickly and informally, usually within a few days.
- If parents have a concern/complaint they should normally contact their daughter’s Head of Year. In many cases, the matter will be resolved straight away. If the Head of Year cannot resolve the matter alone, it may be necessary for him/her to consult the Deputy Heads before responding to the parent.

If the matter still cannot be resolved it will be referred to the Head who will speak to the parents personally to discuss the matter. If possible, a resolution will be reached at this stage.

- Complaints made directly to a member of the Senior Leadership Team (SLT), will usually be referred to the Head of Year or Head of Department, unless the member of SLT deems it appropriate for him/her to deal with the matter personally.

- If the complaint is against the Bursar, parents should make their complaint directly to the Head.
- If the complaint is against the Head, parents should make their complaint directly to the Chair of Governors.

The individual responsible for dealing with the concern will make a written record of all concerns and complaints and the date they were received. Should the matter not be resolved within seven working days (or within an agreed timeframe), then parents will be advised to proceed with their complaint in accordance with Stage 2 of this Complaints Procedure.

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/speak to the parents concerned, usually within seven 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 to carry out further investigations. The Head may ask a member of SLT to conduct the investigation.
- 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 within ten working days. The Head will also give reasons for the 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 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 within ten working days. The Chair of Governors will give reasons for the decision.

Stage 3 – Panel Hearing

- Parents who have completed the procedures at the above two stages and remain dissatisfied may request an appeal. The request must be made within seven working days of being notified of the decision at Stage 2. The request should be addressed, in writing, to the Clerk to the Governors.
- Parents should ensure that a copy of all relevant documents and full contact details accompany their letter to the Clerk to the Governors. Parents are asked to set out in their letter the grounds of their appeal and their specific desired outcome. The Clerk to the Governors will acknowledge the request for a hearing within seven working days, during term time. (During holiday periods time scales may need to be extended depending on the availability of relevant staff.)
- The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of three individuals who have no detailed prior knowledge of the circumstances of the complaint. One member of the Panel shall be independent of the governance, management and running of the School. The other members will be Governors of the School and may include the Chair of Governors if the Chair has had no prior involvement in the Stage 1 or 2 decision.
- As soon as is reasonably practicable, the Clerk to the Governors will send parents written notification of the date, time and place of the hearing together with brief details of the Panel members who will hear it.

- 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.
- Parents will be asked to attend the hearing and may be accompanied by one other person such as a relative or friend. Legal representation will not normally be appropriate.
- The hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in an informal manner. The Clerk to the Governors will take handwritten notes of proceedings and will be made available to all parties.
- The Chair of Panel will conduct the hearing in such a way as to ensure that all those present have the opportunity of asking questions and making comments in an appropriate manner. The hearing is not a legal proceeding. The Panel shall be under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.
- All those attending the hearing are expected to show courtesy, restraint and good manners. If the complainant does not behave in this manner then, after due warning, the hearing may be adjourned or terminated and, if terminated, the original decision will stand.
- If the complainant does not attend the panel hearing without good cause, the panel will proceed in their absence and reach a decision.
- The Chair of Panel may at his/her discretion adjourn the hearing for further investigation of any relevant issue.
- After due consideration of the facts, it considers relevant, the Panel will reach a decision. 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 in whole or in part
 - uphold the complaint in whole or in part; and
 - may make recommendations

This will be communicated within twenty-one working days of the hearing. The Panel will write to the parents informing them of its decision and the reasons for it and, if deemed necessary, will make recommendations. The decision of the Panel will be final. The Panel's findings and, if any, recommendations will be sent in writing to the parents, the Head, the Chair of Governors and, where relevant, the person or persons who were the focus of the complaint subject to any duty of confidentiality.

- A written record of all actions taken by the School as a result of a formal complaint (whether it is upheld or not) will be kept by the School in accordance with the Independent School Standards (England) Regulations 2014.

Recording Complaints and Use of Personal Data

Following resolution of a complaint, the School will keep a written record of all complaints, whether they are resolved at Stage 1, 2 or 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. When dealing with complaints the School (including any Panel member appointed under Stage 3 process), may process a range of information, which is likely to include:

- 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 of staff handling the issue at each stage
- copies of all correspondence on the issue
- notes and minutes of the hearing
- the Panel's written decision

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 and Data Protection Policy.

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.

Duty of Care

As an employer, the School has a duty of care towards its employees and will, therefore, seek to ensure that any employee who is the subject of a complaint will be treated fairly and with respect, and given appropriate opportunity to explain their viewpoint.

Number of Complaints

In the Academic Year 2018-2019 there were two Stage 3 complaints.

This policy is reviewed annually by the Head and the Governors.

The next review is due in February 2021.