

Complaints Procedure for Parents

Contents

1.	Circulation.....	2
2.	Introduction.....	2
3.	Scope and Interpretation.....	2
4.	Procedure	3
	Stage 1 – Informal Resolution	3
	Stage 2 – Formal Resolution	3
	Stage 3 – Panel Hearing	4
5.	Vexatious Complaints and Unreasonable Behaviour	6
6.	Recording Complaints, Confidentiality and Use of Personal Data	6

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1. Circulation

This policy has been approved by the Board of Governors and The Headmaster of Hampton School and is applicable to Parents of pupils at Hampton School ('the School'). It is available on the School website and on request from the School Bursary.

There is a separate policy which applies to pupils at Hampton Pre-Prep & Prep (HPP&P).

The number of Stage 2 and Stage 3 complaints registered under formal procedures during the preceding School year is available upon request from the School Bursary.

2. Introduction

The School has a long-standing reputation for the excellent quality of 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 in accordance with this policy. Our aim is an open organisation, climate and culture.

As a School, we wish to be a community that listens and is able to respond in a positive, appropriate and sympathetic fashion when concerns are raised. This is helped where the culture of the School is open and complaints are received in a positive manner.

All concerns need to be handled seriously. An expression of concern, or a simple query, may grow into a contentious matter if it is perceived that the issue has been brushed aside. Equally, issues with the potential to become acutely difficult may be easily resolved if they are handled well at the initial stage.

3. Scope and Interpretation

The Complaints Procedure set out below is divided into three stages. The informal stage (Stage 1) aims to resolve the concern through informal contact at the appropriate level in School. Stage 2 is the first formal stage at which written complaints are considered by The Headmaster or a delegated person. Stage 3 is the final stage and involves an appeal to a Complaints Panel.

Separate procedures apply in the event of a child protection issue (please refer to the **Safeguarding (Child Protection) Policy and Procedures**).

For the purposes of the Complaints Procedure:

- "Complaint" means an expression of dissatisfaction with a real or perceived problem. Any matter about which a Parent is unhappy and seeks action by the School is within the scope of this Procedure.
- "working days" refers to weekdays (Monday to Friday) during term time.
- "Parent(s)" means the holder(s) of parental responsibility for a current pupil.

This Procedure only applies to complaints by Parents of former pupils where the complaint was initially raised whilst the pupil was still on the School roll. The only exception to this is if the complaint is a review of a decision taken by The Headmaster or a Deputy 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 the pupil. Parents who wish to appeal against a decision by the School to exclude or require the removal of their child should proceed directly to Stage 3 of this Procedure.

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

4. Procedure

Stage 1 – Informal Resolution

- It is hoped that most complaints and concerns will be resolved quickly and informally. A non-exhaustive list of examples might include: dissatisfaction over some aspect of teaching or pastoral care; concern about the allocation of privileges or responsibilities, about a timetable clash or about some other aspect of the School's systems or equipment; a billing error.
- If Parents have a complaint or concern about an educational issue (i.e. relating to the classroom, the curriculum, or provision for learning difficulties and disabilities/special educational needs) or a pastoral issue (e.g. relating to matters outside the classroom), they should initially contact their son's Form Tutor. In many cases, the matter can be resolved by this means to the Parents' satisfaction.
- If the Form Tutor cannot resolve the matter alone or the complaint relates to the Form Tutor, it may be necessary to consult the relevant Head of Department, Head of Year, or one of the Deputy Heads.
- A complaint relating to financial matters should be submitted in writing to the Bursar.
- Complaints made directly to The Headmaster or one of the Deputy Heads will usually be referred for further action to the relevant Form Tutor, Head of Department or Head of Year, unless The Headmaster or a Deputy Head deems it appropriate for an alternative member of staff to deal with the matter.
- The relevant member of staff will make a written record of the complaint; this record will include the date on which the complaint was received. The School will endeavour to acknowledge a written complaint or concern by telephone, e-mail or letter within five working days of receipt during term time and as soon as practicable in the School holidays. Should the matter not be resolved within a reasonable period (one not normally exceeding two term-time weeks) or in the event that the relevant staff and the Parents 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 Headmaster, Parents should make their complaint directly to the Chair of Governors whose contact details are available from the Bursary on request.

Stage 2 – Formal Resolution

- If the complaint cannot be resolved on an informal basis, the Parents should put their complaint in writing to The Headmaster. The nature of the complaint must be stated as clearly and precisely as possible, with supporting evidence included; the complaint should contain, if appropriate, details of any actions Parents have already taken to resolve the matter as well as any actions Parents feel might resolve their complaint.
- The Headmaster may in some circumstances deem it appropriate to nominate another member of the Senior Leadership Team to hear the complaint and manage the Stage 2 complaint. The Stage 2 process described below will then be followed as if the references to The Headmaster are to the nominated member of the Senior Leadership Team.
- The Headmaster may request further particulars of the complaint from the Parents if required. The Headmaster will decide, after considering the complaint, upon the appropriate course of action to take.

- In most cases and where possible, The Headmaster will speak to and/or meet with the Parents concerned to discuss the matter within 10 working days of receiving the complaint. If possible, a resolution will be reached at this stage.
- It may be necessary for The Headmaster to carry out further investigations that may delay a resolution. This may include interviews with staff, pupils and other relevant people. If the investigation uncovers any concerns relating to safeguarding, these will be investigated in accordance with the School's Safeguarding (Child Protection) Policy and Procedures.
- The Headmaster may appoint a member of the Senior Leadership Team to act as investigator and/or may involve an appropriately qualified independent third party and/or one or more of the Governors.
- If a complaint is received within two weeks before the end of the term, the complaint is likely to take longer to resolve owing to School holidays and the unavailability of personnel.
- Written records will be kept of all meetings and interviews held in relation to the complaint.
- Parents will usually be informed of The Headmaster's decision within 20 working days of the formal complaint being made. The Headmaster will also give reasons for his decision.
- If the Parents are not satisfied with The Headmaster's decision, they may choose to proceed to Stage 3 of this procedure.
- If the complaint concerns The Headmaster then it should be directed to the Chair of Governors. The Chair of Governors may nominate an individual (a Governor or an appropriately qualified independent third party as necessary) to determine the complaint. The Stage 2 process described above will then be followed as if the references to The Headmaster are to the individual nominated by the Chair of Governors to determine the complaint against The Headmaster.

Stage 3 – Panel Hearing

- If the Parents seek to invoke Stage 3 (following a failure to reach a formal resolution under Stage 2), they should address a written request to the Clerk to the Governors (the Clerk). Requests will normally only be considered if the Parents have completed Stages 1 and 2 and make their request in writing to the Clerk within 10 working days of receiving the Stage 2 decision.
- The Parents must state in their request their grounds for complaint and the outcome desired. The Parents must also send a list of any documents they believe to be in the School's possession and wish the Panel to see, along with any documents in their own possession which relate to the matters set out in their complaint and which they wish the Panel to see.
- The Clerk will usually acknowledge the Parents' Stage 3 request in writing within five working days and will call a Panel Hearing on behalf of the Chair of Governors. A Panel Hearing will be called as soon as reasonably practicable, normally within 28 working days of receiving the complaint. The Panel will not normally sit during School holidays.
- The purpose of convening the Complaints Panel is to provide Parents with the opportunity to present their arguments to a panel which has no prior knowledge of the details of the complaint and which can, therefore, consider the matter and review the decision made at Stage 2 without prejudice.

- The Panel will consist of at least three people not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and the day-to-day running of the School. A note-taker may also be in attendance.
- The manner in which the Hearing is conducted shall be at the discretion of the Panel.
- The Panel will not consider any area of complaint that has not been raised previously in Stages 1 and 2 of the Complaints Procedure, with the exception of an appeal by Parents against The Headmaster or a Deputy Head's decision to exclude or require the removal of their child.
- If the Panel deems it necessary, it may require that further particulars of the complaint (from either the complainant or the School) or any related matter be supplied in advance of the Panel Hearing or that further investigation be carried out. Copies of such particulars shall be supplied to all parties no later than five working days prior to the Hearing.
- The Parent(s) will be invited to attend the Stage 3 Panel Hearing in writing or by email. They may be accompanied to it by one other person if they wish; this may be a relative, teacher or friend. Legal representation is neither necessary nor appropriate. A colleague may accompany the Headmaster to the Hearing. The Panel will decide whether it would be helpful for witnesses to attend.
- The School will make reasonable arrangements to facilitate the Parent(s)' right to attend the Hearing. However, if this right is not exercised, the School will continue with the Hearing in line with this policy.
- If possible, the Panel will resolve the Parent(s)' complaint without the need for further investigation. If the Panel decides that further investigation is necessary, the Panel will decide how it should be carried out and the Hearing may be adjourned as necessary.
- 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; and/or
 - make recommendations.
- It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, pupils or Parents.
- The Panel will inform Parents of its decision within 10 working days of the hearing.
- The Panel's decision and any recommendations will be sent in writing or by email to the Parents, The Headmaster, the Chair of Governors and, where relevant and appropriate, the staff involved and the person(s) about whom the complaint was made; a copy of the decision and recommendations shall also be made available for inspection at the School by the Governors and The Headmaster.
- The decision of the Panel will be final and is not subject to any further right of appeal.
- Any complaint about a decision taken by The Headmaster or a Deputy Head to exclude or require the removal of any 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 Headmaster or Deputy Head to reconsider their decision if they consider, having regard to the process followed by The Headmaster or Deputy Head, that The Headmaster or

Deputy Head's decision to exclude or require the removal of the pupil was not a reasonable decision for The Headmaster or Deputy Head to have taken.

5. Vexatious Complaints and Unreasonable Behaviour

- 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 policy.
- The School is committed to dealing with all complaints fairly and impartially. However, we do not expect our staff to tolerate unreasonable behaviour. In the unlikely event of a Parent displaying behaviour which is abusive, offensive or threatening, the School reserves the right to take any necessary action to protect its staff.

6. Recording Complaints, Confidentiality and Use of Personal Data

- Records will be kept in accordance with the School's **Privacy Notice**, **Data Protection Policy** and **Records Management Policy**. Where the complaint relates to a safeguarding matter, the School is committed to protecting and safeguarding its pupils and follows regulation and published guidance as to record retention.
- Parents can be assured that all concerns and complaints will be treated seriously and considered on a confidential basis. Correspondence, statements and records 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, or where any other legal obligation prevails.
- All parents are expected to maintain confidentiality at all times.
- Written records will be kept of all complaints, and of whether they are resolved at the preliminary stages (Stage 1 and 2) or proceeded to a Panel Hearing (Stage 3). Action taken by the School as a result of those complaints (regardless of whether they are upheld) will also be recorded.
- The number of complaints registered under the formal procedure (Stages 2 and 3) in the preceding school year, as required by the Education (Independent School Standards) (England) Regulations 2014, is available from the School Bursary on request.
- The School processes data in accordance with its **Data Protection Policy** and **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;
 - 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 (if appropriate); and
- The Panel's written decision (if appropriate).

This may include 'special category personal data' (as further detailed in the School's **Privacy Notice**, 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 **Data Protection Policy**.