



WESTMINSTER
SCHOOL

COMPLAINTS POLICY

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Shared Policy across Westminster Great School and
Westminster Under School

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WESTMINSTER SCHOOL

COMPLAINTS POLICY

INTRODUCTION

Westminster School (comprising both the Great School and the Under School) prides itself on the quality of the teaching and pastoral care that it provides for its pupils. However, if pupils or parents do have a complaint in good faith, they can expect to be assisted by the School in accordance with the procedure detailed below. The aim of the procedure is to produce a resolution that everyone involved can accept. Furthermore, all complaints will be dealt with impartially and within a reasonable time.

This Complaints Policy relates to complaints raised by parents of currently registered pupils at Westminster School, and parents of former pupils where the complaint was raised while the pupil was still registered. It is not applicable to parents of prospective pupils. For the purposes of this Policy, a “parent” includes a person who has parental responsibility or who has care of a child – see Section 576 of the Education Act (1996).

There is no distinction made between a “concern” and a “complaint” – both are treated in the same way: any matter about which a parent of a pupil is unhappy and where they seek action by the School is treated as a complaint.

Pupil exclusions are not dealt with by the Complaints Policy.

- Great School pupils: the appeal process outlined in the Great School’s Permanent Exclusion Policy should be followed.
- Under School pupils: the appeal process in the Under School’s Behaviour, Rewards and Sanctions Policy should be followed.

OUTLINE

There are three consecutive stages to be followed:

Stage 1 – Informal resolution

- Great School pupils: usually by the House Master.
- Under School pupils: usually by the Form Tutor.

Decision normally within 15 working days.

Stage 2 – Formal complaint

If Stage 1 does not yield a satisfactory outcome for parents:

- Great School pupils: to the Head Master.
- Under School pupils: usually by the Master.

Decision normally within 25 working days.

Stage 3 – Panel Hearing

If Stage 2 does not yield a satisfactory outcome for parents:

- Great School and Under School pupils: to the Clerk to the Governing Body.

The panel hearing will normally take place within 25 working days and a decision normally within 10 working days of the end of the panel hearing.

If a complaint concerns the Head Master of the Great School or Master of the Under School parents should proceed straight to Stage 3.

TIMESCALES

For the purposes of this document a “working day” is defined as Monday to Friday during the School’s term time. During holidays, the School will do what it reasonably can to reply promptly to parents and to follow the procedures outlined in this policy. It may be the case that, due to the unavailability of key personnel (staff, pupils and parents), responding in full to a complaint can only be completed during term time.

It may take longer to resolve a complaint during periods of significant disruption to life at the School or as a consequence of unavoidable absence (staff, pupils and parents). However, deviation from the normal timescale for resolving a complaint during term time will only be permitted on an exceptional basis: the School will take all reasonable steps to limit any such delay. Parents will be informed of any deviation from the timescales set out in this policy.

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 as vexatious and outside the scope of this policy. Parents will be formally informed of this.

BROADER ISSUES

The Head Master and Master in both Schools will regularly consider whether any current complaint may be the outcome of a systemic issue in their School that should be investigated and acted upon.

FOR PUPILS

Great School pupils should follow the suggestions set out on the “If you have a concern” page in the Almanack and also posted on House Noticeboards. If the concern is not resolved, then a pupil should ask their parents to follow the procedure below.

Under School pupils should speak to their Form Tutor or any other teacher. If the concern is not resolved, then the pupil should ask their parents to follow the procedure below.

FOR PARENTS:

Stage 1 – Informal resolution

It is hoped that all concerns and complaints will be resolved quickly and informally.

Great School:

If parents of Great School pupils have a concern or a complaint, then they should normally first contact their son's / daughter's Housemaster. It is anticipated that Housemasters themselves will be able to resolve the majority of concerns to the parents' satisfaction, although it might be necessary to consult a Head of Department or the Deputy Head (Academic) if the question is an academic one. Similarly, Housemasters might need to refer to the Under Master if the concern is about a disciplinary matter. Complaints made directly to a Head of Department or Deputy Head or other senior member of staff will usually be referred back to the relevant House Master, unless the more senior member of staff deems it appropriate to deal with the matter (informally) themselves. This will still be under the Stage 1 process of informal resolution.

Under School:

If parents of Under School pupils have a concern or a complaint, then they should normally first contact their son's Form Tutor. It is anticipated that Form Tutors themselves will be able to resolve the majority of concerns to the parents' satisfaction, although it might be necessary to consult the Head of Department or an Assistant Master if the question is an academic one. Complaints made directly to a Head of Department, Head of Year or Assistant Master will usually be referred back to the relevant Form Tutor, unless the more senior member of staff deems it appropriate to deal with the matter (informally) themselves. This will still be under the Stage 1 process of informal resolution.

The Housemaster in the Great School and the Form Tutor in the Under School will make a written record of all concerns and complaints, the date on which they were received and their outcome.

The Under Master in the Great School and the Deputy Master in the Under School will review any concerns and complaints arising weekly, sharing any patterns or trends with the Head Master or Master, as appropriate.

Should the matter not be resolved within a reasonable period of time (normally within 15 working days during term time), or in the event that a satisfactory solution is not reached at Stage 1, then parents will be advised to proceed with their complaint in accordance with the Stage 2 procedure below.

Stage 2 – Formal resolution

If the concern or complaint cannot be resolved on an informal basis at Stage 1, then parents should put their concern in writing to the Head Master of the Great School or the Master of the Under School as appropriate: the *pro forma* at Appendix A should be used for this purpose. In the event that the Head Master or Master is unable to hear the concern at Stage 2, then another member of the senior management in the School may be asked so to do.

Receipt of the complaint will normally be acknowledged within 5 working days, and the Head Master or Master will decide, after considering the complaint, the appropriate course of action to take. For Great School pupils if the complaint is about any matter concerning boarding welfare, the Head Master will also inform their parents how to contact the Independent School's Inspectorate.

In most cases, the Head Master or Master (or their nominated deputy) will meet with the parents to discuss the matter, normally within 15 working days of receiving the complaint. If possible, a resolution will be reached at this stage. However, it might be necessary to carry out further investigation, for example where there are other parties involved, in which case the parents will be notified of any change to the timescales in order to carry out this investigation.

Once the Head Master or Master (or their nominated deputy) is satisfied that all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing normally within 25 working days from receipt of the complaint if it is in term time or as soon as possible thereafter. Reasons for the decision will be given.

The Head Master or Master (or their nominated deputy) will keep written records of all meetings and interviews held in relation to the complaint. These written records will also show whether the formal complaint was resolved at Stage 2 or proceeded to Stage 3 – Panel Hearing (please see below) and also any action taken as a result of the complaint. A separate record will be kept of any action taken by the School as a result of the complaint, regardless of whether the complaint was upheld.

If parents are still not satisfied, they should proceed as below within 20 working days from the date of the Stage 2 decision.

Stage 3 – Panel hearing

This stage of the Complaints Policy exists solely to adjudicate in the event that the matter has not been resolved at Stage 2, upon whose papers it will chiefly rely. If parents believe this stage has been reached, they should send email correspondence to:

The Clerk to the Governing Body
Westminster School
Little Dean's Yard
London
SW1P 3PF

clerk@westminster.org.uk

The *pro forma* at Appendix B should be used for this purpose. The Clerk to the Governing Body will acknowledge receipt of the complaint within 5 working days.

A Panel, which consists of two Governors not directly involved in the matters detailed in the complaint, and a Chair, who is independent of the management and running of the School, will then be convened by the Chair of the Governing Body to hear the concern. It is ordinarily the Clerk to the Governing Body who will take a note of the meeting. The panel hearing will normally take place within 20 working days of receipt of the complaint.

Each member of the Panel will be provided by the Clerk with a copy of the relevant documents at least 5 working days prior to the hearing. The parents shall be entitled to copies of any documents that will be considered at the Panel Hearing. If the Panel feels it is important, it may require that additional details connected to the complaint or related matters be supplied in advance of the hearing. This may lead to the need to delay the date of the hearing: parents will be informed if this is the case. Copies of any additional material requested by the Panel will also be provided to the parents at least 2 working days prior to the hearing. If parents wish the Panel to consider any further information this should be sent to the Clerk at least 2 working days prior to the hearing.

If it is considered to be necessary by the Clerk, in the interests of an individual or the School, that the identity of any person should be withheld, the Chair of the Panel may require the name of that person and the reason for withholding it; in such a circumstance, the name will be written down and shown to the Chair, whereupon the Chair may direct that the identity of the person be shared with the parents on a confidential basis, or that it continue to be withheld.

Parents may choose to attend the meeting conducted by the Panel in person, or may decide not to attend, in which case the hearing will be conducted on the papers. If parents prefer to attend the meeting in person, they may be accompanied by one other person and, at the Great School only, may also be accompanied by their son / daughter. The provision to allow a parent to be

accompanied at the panel hearing does not confer the right to have a legal representative present; any representative is not conferred the right to make any representation (legal or otherwise) on the parent or child's behalf at the hearing. Parents are asked to notify the Clerk to the Governing Body, at least 5 working days prior to the hearing, if anyone will be accompanying them.

The panel hearing may be conducted remotely if all parties agree. There is an expectation that all parties will act reasonably in terms of their right to agree (or not) to any practical considerations for the hearing. The School as necessary will proceed with the complaint without a party attending if it considers that party has acted unreasonably so as to prevent the convening of a fair and practicable panel hearing.

The panel hearing (whether remote or in-person) may also be recorded by the School if all parties agree. In such case the purpose of the recording will be clearly notified to and, as necessary, agreed by all parties. If the purpose of the recording is simply for the purpose of facilitating an accurate note of the meeting, the recording will generally be destroyed once the notes have been produced and circulated (subject to any reasonable objections or disagreement as to their accuracy), and only the notes retained. However, all parties should be aware that circumstances may arise where retaining a copy of the recording is necessary in connection with a legal obligation or some related lawful purpose: for example, if the hearing were to give rise to any safeguarding concerns, or if it were necessary to keep a copy in connection with any legal proceedings. In such cases, the recording (and / or notes as applicable) would be kept securely in accordance with the School's usual policy concerning confidential and sensitive records.

If possible, the Panel will resolve the parents' concern immediately without the need for further investigation. The Panel will form a decision and will write to the parents informing them of its decision and the reasons for it normally within 10 working days of the hearing.

Where further investigation is required, the Panel will decide how it should be carried out. The Panel will reconvene normally within 10 working days, form a decision and will write to the parents informing them of its decision and the reasons for it normally within 10 working days of the reconvened hearing. The decision of the Panel concludes the complaints process.

Where relevant, the decision of the Panel will also be sent to the person against whom the complaint has been made; it will also be made available for the Chair of the Governors and the Head Master or Master. The Head Master or Master will keep a separate record of any action taken by the School as a result of the complaint (regardless of whether the complaint was upheld).

Any actions arising from Panel recommendations will be reported to the next meeting of the Governing Body or as soon as possible thereafter.

CONFIDENTIALITY

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Furthermore, all decisions will be made impartially and within the timescales set out in this policy.

The School processes data in accordance with its Privacy Notice (available on the School's website). 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.

Correspondence, statements and records will be kept confidential except in so far as disclosure is required of the School by the Secretary of State or a body conducting an inspection under section

108 or 109 of the Education Act (2008), section 87(1) of the 1989 Act or where any other legal obligation prevails.

WRITTEN RECORDS

A written record is kept of all complaints that reach the formal stage (Stages 2 and 3), and the outcome. A record will also be kept of what action is taken by the School as a result of those complaints (regardless of whether they are upheld) and the date on which a final outcome was reached and communicated. The record of complaints will identify if it relates to boarding provision.

All records of complaints will be kept for a minimum of seven years. Complaints that have a Safeguarding aspect will be retained in accordance with HM Government guidance. Currently, records concerning allegations of abuse must be preserved for the term of the Independent inquiry into Child Sexual Abuse and at least until the accused has reached normal pension age or for 10 years from the date of the allegation if it is longer. The School will provide on request to Ofsted and ISI, a written record of all complaints made during a specified period and the action that was taken as a result of each complaint.

The number of complaints at Stages 2 and 3 during the preceding school year is made available to parents of currently registered pupils on request to the Head Master or Master.

FURTHER RECOURSE

In addition to the procedure detailed above, parents may also make refer to the Department for Education (DfE).

The DfE cannot investigate individual complaints about private schools. But it has certain powers as a regulator if the school is not meeting standards set by DfE for:

- Education
- Pupil welfare and health and safety
- School premises
- Staff suitability
- Making information available to parents
- Spiritual, moral, social or cultural development of students.

DfE will consider any reports of a major failure to meet the standards. It can arrange an emergency inspection to look at pupil welfare and health and safety, and make sure serious failings are dealt with.

DfE can ask the Independent Schools Inspectorate (ISI) to take minor complaints into account when the School is next inspected.

You can complain to the DfE by filling in the pro forma available through the DfE's website: <https://www.gov.uk/complain-about-school/private-schools>.

APPENDIX A

COMPLAINT FORM FOR USE AT STAGE 2

Please complete and return to the Head Master or Master as appropriate.

The Head Master
Westminster School
Little Dean's Yard
London
SW1P 3PF

The Master
Westminster Under School
27 Vincent Square
London
SW1P 2NN

headmaster@westminster.org.uk

master@westminster.org.uk

Receipt will be acknowledged within 5 working days and an explanation of what action will be undertaken will be provided.

Your name:
Pupil's name:
Your relationship to the pupil:
Postal address:
Postcode:
Day time telephone number:
Evening telephone number:
Email address:

Please give concise details of your complaint (including dates, events, names of relevant individuals, key evidence etc.) in order to allow the matter to be fully investigated.

(You may attach additional documents if you wish; please be sure to number them clearly.)

**What action have you already taken to try to resolve your complaint?
(i.e.: with whom have you spoken or to whom have you written and what has been the outcome?)**

What actions do you feel might resolve the issue at this stage?
If you are attaching additional documents, please number these attachments and give details below.
Signature:
Date:
For School use only
Date complaint form received:
Date acknowledgement sent:
Complaint referred to:
Date complaint referred:

APPENDIX B

COMPLAINT FORM FOR USE AT STAGE 3

Please complete and return to the Clerk to the Governing Body:

The Clerk to the Governing Body
Westminster School
Little Dean's Yard
London
SW1P 3PF

clerk@westminster.org.uk

Receipt will be acknowledged within 5 working days and an explanation of what action will be undertaken will be provided.

Your name:
Pupil's name:
Your relationship to the pupil:
Postal address:
Postcode:
Day time telephone number:
Evening telephone number:
Email address:

Dear Sir / Madam

I submitted a Stage 2 – Formal complaint to the School on _____ and am dissatisfied by the procedure that has been followed and / or the outcome. My complaint was dealt with at Stage 2 of the School's Complaints Policy and I received a response from _____ on _____.

Is there any additional documentation that was not submitted as part of your Stage 2 complaint, which you wish the panel to consider at Stage 3? If you are attaching additional documents please number these attachments and give details below.

I am dissatisfied by the way in which the procedure was carried out because:

and / or by the outcome because:

(You may continue on separate sheets or attach additional documents if you wish; in this case, please ensure these are clearly numbered and state the number of additional sheets here: _____)

<p>What actions do you feel might resolve the issue at this stage?</p>
<p>I would like the Panel to conduct a hearing</p> <p> a) On the papers</p> <p>or</p> <p> b) At a meeting that I will attend</p> <p>At the meeting I would like to be accompanied by the following:</p>
<p>Signature:</p> <p>Date:</p>
<p>For use by the Clerk to the Governing Body only</p>
<p>Date Stage 3 form received:</p>
<p>Date acknowledgement sent:</p>
<p>Stage 3 referred to:</p>
<p>Date referred:</p>