



# HOLMEWOOD HOUSE SCHOOL

*'Kindness, aspiration & self-belief'*

## COMPLAINTS PROCEDURE (for parents)

<b>Policy Holder</b>	The Bursar
<b>Date Approved</b>	March 2024
<b>Approval</b>	Governors
<b>Date for next review</b>	March 2025

### Introduction

Holmewood House has long prided itself on the quality of the teaching and pastoral care provided for its pupils and welcomes feedback, suggestions and comments from parents. The School takes seriously concerns or complaints which parents may wish to raise.

The aim of this procedure is to achieve a fair, effective and timely resolution of parental concerns about the education and/or welfare of individual children in the care of the School. This Complaints Procedure is available to parents of pupils and of prospective pupils via our website and it is also obtainable from the School Office on request. The Procedures apply to all pupils including children in the EYFS. There is an additional Complaints Procedure for Boarders.

The expression “parent” is used for all those having parental responsibility for a child.

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. Complaints by parents of former pupils will be dealt with under this Complaints Procedure only if the complaint was initially raised in writing when the pupil to which the complaint relates was still registered as a pupil at the School.

Every reasonable complaint shall receive fair and proper consideration and a timely response. A complaint can be considered as an expression of dissatisfaction with a real or perceived problem. Any parental complaint about the school, about an individual member of staff, any matter about which a parent is unhappy and seeks action by the school is within the scope of this procedure. Complaints about any matter of School policy or administration affecting their children must be made in accordance with the following procedure except where the complaint relates to an exclusion which will be dealt with under the School’s Exclusion Procedures, see Behaviour and Sanction Policy.

*This is a whole school policy and includes Boarding and EYFS*

*March 2024*

Holmewood House School will make available, on request, to the Secretary of State, 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 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.**

## **The Three-Stage Complaints Procedure**

### **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 child's form teacher or tutor. In many cases, the matter will be resolved straight away by this means to the parent's satisfaction. If the form teacher/tutor cannot resolve the matter alone, it may be necessary for them to consult the appropriate head of department or the Assistant Head, Pastoral and Wellbeing as appropriate.
- Concerns relating to child protection allegations must be referred directly to the Head and will be dealt with in accordance with the School Safeguarding Policy and Procedures.
- Complaints made directly to the Assistant Head, Pre-Prep or the Deputy Head will usually be referred to the relevant teacher for a written response unless the line manager concerned deems it appropriate to deal with the matter personally. In this event the line manager will attempt to resolve the matter in five working days or as soon as is practicable.
- The relevant teacher will make a written record of all complaints and concerns, and the date on which they were received. Should a matter not be resolved within five working days, or in the event that the relevant teacher 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 Head, parents should make their complaint directly to the Chair of Governors whose contact details are available from the school website or School Office 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, via [admin@holmewoodhouse.co.uk](mailto:admin@holmewoodhouse.co.uk) who will decide, after considering the complaint, the appropriate course of action to take.
- The Head may in some circumstances deem it appropriate to nominate a staff member to hear the complaint and manage the Stage 2 complaint process. The Head (or their nominee) will decide, after considering the complaint, the appropriate course of action to take.

- In most cases, the Head will meet with or speak to the parents concerned, within two working days of receiving the written 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. These will be completed within eight working days or as soon as is practicable. The Head (or their nominee) will determine who should carry out any investigation and this may be someone external to the School.
- If further time is needed by the Head to gather information pertaining to the investigation, the parent will be informed in writing.
- Written records will be kept of all meetings and interviews held in relation to the complaint.
- Once the Head (or their nominee) is satisfied, so far as is practicable, that all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The Head (or their nominee) will give reasons for their decision. In most cases, the Head will make their decision and provide the parents with reasons 15 working days of the complaint being put in writing.
- If the complaint is against the Head, the complaint should be made to the Chair of Governors. The Chair of Governors will nominate someone to determine the complaint. The Stage 2 process described above will then be followed as if the references to the Head (or their nominee) is to the individual nominated by the Chair of Governors to determine the complaint against the Head.
- If parents are still not satisfied with the decision, they may take the opportunity to proceed to Stage 3 of this procedure.

### 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 clerk to the Panel via [compliance@holmewoodhouse.co.uk](mailto:compliance@holmewoodhouse.co.uk) within five working 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 clerk to the Panel in advance of the original deadline, setting out the further time period requested and the reason for this. This will be considered.
- In the event the parents are unable to provide their complaint within the time period stipulated (including to the extent applicable any extensions if agreed) the School reserves the right to conclude the complaint process and not progress the matter to Stage 3.
- The clerk to the Panel, who has been appointed by the Governors to call hearings of the Complaints Panel, will then refer the appeal to the Complaints Panel for consideration. The Panel will consist of 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. The clerk to the Panel/Chair of Governors will appoint one Panel member to act as Chair of the Panel OR The Complaints Panel will appoint one of the Panel members to act as the Chair of the Panel. The convenor, on behalf of the Panel, will then acknowledge the

complaint within five working days and schedule a hearing to take place within twenty working days after acknowledgement of the parents' letter to invoke Stage 3.

- 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 or further investigation be carried out. Copies of such particulars shall be supplied to all parties not later than five working days prior to the hearing.
- The parents may attend the hearing and be accompanied to the hearing by one other person if they wish. The Stage 2 decision-taker shall also be entitled to be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not be appropriate and the companion should not be a lawyer. The Panel will decide whether it would be helpful for witnesses to attend.
- 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:
  - 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 five 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 Chair of Governors and the Stage 2 decision-taker.
- 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.

### **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 Stages 1 and 2 of the procedure within twenty working days. Stage 3, the Appeal Panel Hearing, will be completed within a further thirty working days.
- Please note that, for the purposes of this procedure, working days refers to weekdays (Monday to Friday) during term time as published on its website, 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 take longer to resolve a complaint where statutory agencies are involved (for example, the Local Authority or the Police), during periods of significant disruption to School life, or as

a consequence of unavoidable staff absence. The timeframes set out in this Procedure may therefore change depending on the circumstances of an individual case. Any deviation will, however, be on an exceptional basis, and the School will take all reasonable steps to limit any such delay, and parents will be advised should timeframe revisions be necessary.

### **Persistent correspondence**

- The Procedure should be used as a mechanism for resolving issues in good faith and in a courteous manner. It should not be used in an abusive or threatening manner or in a way that is vexatious.
- Once a complaint is made by a parent and whilst it is being dealt with under the complaint's procedure, we request the parent refrains from repeated correspondence or contact with staff members that may be considered vexatious.
- 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 by the School as vexatious and outside the scope of this procedure.

### **Recording Complaints and use of personal data**

- Correspondence, statements and records relating to individual complaints are to be kept confidential except where a request for access is made under section 109 of the Education and Skills Act 2008 or where the School is required to share information relating to a child protection concern, complaint to in order to comply with its legal or regulatory obligations.
- Following resolution of a complaint, the School will keep a written record of all complaints, whether they are resolved at Stage 1 (informal stage), 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. 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
  - Third party and internal reports
  - 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. It will do so in accordance with its Privacy Notice, Data Protection Policy and Retention of Records Policy. All records relating to complaints shall be treated as confidential. In addition to where requested by the Secretary of State or an inspector (see above), there may be other circumstances where disclosure of the substance of a complaint or particular confidential records relating to it is required, for example, where there is a legal, regulatory, safeguarding or data protection obligation (eg, in response to a subject access request) which prevails over the requirement to maintain the records as confidential.

### Parents of EYFS pupils

- Parents of EYFS pupils 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.
- Holmewood House School 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 and Retention of Records Policy.
- Parents may complain directly to Ofsted or to ISI if they believe the provider is not meeting the EYFS requirements. Schools must make available details of how to contact Ofsted and/ or the ISI:

**Ofsted** can be contacted at:

Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD

Telephone: 0300 123 1231 or by email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

**ISI** can be contacted at:

ISI, CAP House, 9-12 Long Lane, London EC1A 9HA

Telephone: 020 7600 0100 or by email: [concerns@isi.net](mailto:concerns@isi.net)

### Register of formal complaints

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:

**One complaint was registered under the formal procedure during the academic year 2022 – 2023**

**Complaints timeline**

Stage 1 Informal resolution	Action	Timescale
To the form teacher/tutor	Resolved 'straight away' to the parent's <u>satisfaction</u>	Response to emails from parents – <b>2 working days</b> for initial <u>response</u> Further follow up asap / with relevant information
To HOD and or Deputy	Dealt with in conjunction with form teacher / tutor	Resolved <b>within 5</b> working days after the initial day or as soon as is practicable
Complaint against the Head	Must be made <b>in writing</b> directly to the COG therefore follow Stage 2 process	
		<b>Total days for stage 1 = 5</b>
Stage 2 – Formal resolution	Action	Timescale
Written complaint made to the Head	Speak to the <u>parents</u> Resolution agreed. Written response confirming resolution.	Initial response written 2 working days within the date of the initial written complaint.
	If further investigation required	Investigations completed 8 working days or sooner
	Decision made and parents informed in writing giving reasons.	<b>15 working days</b> from receipt of complaint in writing
		<b>Total days for stages 1&amp;2 = 5+15 = 20</b>
Stage 3 – Panel hearing	Action	Timescale
Parent not satisfied with stage 2 resolution	Parent writes to clerk to the Panel	Within 5 working days of receiving stage 2 decision
Parent unable to provide written complaint to clerk of panel within 5 days	Parent requests an extension to the clerk to the panel in writing	Must be received within working 5 days of receiving stage 2 decision
Parent not able to provide complaint within time frame	School reserves the right to conclude the complaint process	
Panel to take place:	Convener on behalf of the panel will acknowledge the complaint	<b>Within 5 working days</b> of parents receiving stage 2 decision letter
Hearing	Hearing scheduled	Hearing completed <b>within 20</b> working days after acknowledgement
Information to all parties	Copies of particulars supplied to all	Parties 5 working days prior to hearing
Parents informed	Panel writes to parents informing their decision and giving reasons	Within <b>5 working days</b> of the hearing taking place Additional time may be required if further investigations are needed following the hearing
		<b>Total days for Stage 3= 5 + 20 + 5 = 30</b>

**Timeline for complaint at Stage 2 total number of working days = 15**



**Timeline for complaint at Stage 3 total number of working days = 5 + 20 + 5 = 30**

