

## Complaints

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### Policy Statement

Banstead Prep School prides itself on the quality of the teaching and pastoral care provided to its pupils. Nevertheless, if parents, have concerns or complaints about their child's education or welfare at Banstead Prep School or another matter, they can expect these to be taken seriously and resolved through informal dialogue with the relevant member(s) of staff. All members of staff are encouraged to deal with parental or other concerns and complaints, which lie within their area of responsibility but complaints incapable of resolution at a particular level are referred to the appropriate senior person, including the Headteacher, with parents kept informed of the action being taken.

There are special arrangements for dealing with the following matters which are subject to separate statutory / in-school procedures and **must not** be dealt with under standard complaints procedures:

- Child Protection and Safeguarding (including allegations)
- Admissions
- Exclusions
- Special Educational Needs where there is a Statement of Educational Need or an Education and Health Care Plan
- Whistleblowing
- Staff grievances and disciplinary procedures

For the purposes of this policy, Banstead Prep School defines parents as 'parents of current pupils' or 'those with parental responsibility for current pupils'. The policy does not extend to parents of prospective pupils. It applies to parents of Alumni pupils, if the complaint was initially raised when their child was still a pupil at Banstead Prep School. The complaints procedure does not cover exclusions or expulsions. Complaints about these are dealt with under Exclusion, Removal and Review Policy, as a separate procedure.

This policy applies to all sections of the school, including the EYFS setting. Banstead Prep School seeks to implement this policy through adherence to the procedures set out in the rest of this document.

This document is available to all interested parties, including parents and parents of prospective pupils, on the school's website and on request in hard copy from the School Office, in accordance with the school's Provision of Information Policy.

*This document is reviewed annually by the Local Governing Body or as events or legislation change requires. The next scheduled date for review is November 2019. Banstead Prep School is fully committed to ensuring that the application of this policy is non-discriminatory in line with the UK Equality Act (2010). Further details are available in the school's Equal Opportunity Policy document.*

### **How Banstead Prep School defines a complaint or concern**

A 'concern' may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

The School defines a complaint as any matter about which a parent of a pupil is unhappy and seeks action by the school. It may be a dissatisfaction about action taken by the school, or about lack of action. A complaint may be made formally or informally. A complaint may be made in a number of ways – in writing or verbally.

A complaint may be made if it is felt that the school has, for example:

- Done something wrong
- Failed to do something it should have done
- Acted unfairly or impolitely.
- Is unhappy about any matter and seeks action from the school

A complaint may be made about the school as a whole, about a specific department in the school or about an individual member of staff, and about any aspect of school life.

### **How we record a complaint**

The school keeps a record of all formal complaints which contains the following information: -

- Date when the issue was raised
- Name of parent
- Name of pupil
- Brief statement of issue
- Staff member handling the issue
- Brief statement of outcome (and whether complaint was resolved at the preliminary stage or proceeded to a panel hearing)
- Location of file holding detailed evidence (where appropriate)

### **Procedures for the resolution of a complaint**

#### **Stage 1 – Informal Resolution (informal complaint)**

Our intention is that the vast majority of concerns can be raised and dealt with informally before there is a need to raise a more formal complaint. Parents and carers are encouraged to make their concerns known to the school informally, at an early stage so that they can be addressed in the spirit of partnership. Effective and fair resolution of concerns usually requires they are brought to the School's attention promptly and should therefore be brought within 3 months of the relevant events.

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In the first instance, a concern should be raised with the member of staff most closely involved, such as the child's class teacher or subject teacher. If that does not provide a satisfactory outcome, then an informal complaint should be made to the Headteacher with a view to resolving the issue informally before moving to the formal stage.

If the concern is regarding the Headteacher, then an informal complaint can be made to the Chair of the Local Governing Body (LGB).

It is hoped that most complaints will be resolved quickly and informally, but should the matter not be resolved within 5 working days then parents can proceed with their complaint to Stage 2 of this procedure, at which point it becomes a formal complaint, unless their complaint was raised as a formal complaint in this first instance. This would be the case if they formally invoke the complaints procedure or say that they are making a formal complaint in the first instance.

Writing to the Headteacher in the first instance does not make a complaint formal, although formal complaints should be addressed to her in writing.

## **Stage 2 – Formal Resolution (formal complaint)**

- If the complaint cannot be resolved on an informal basis, then the parents must set their full complaint in writing to the Headteacher. However, Schools must have regard to Equalities legislation (Equality Act 2010) and should not restrict complainants to having to make their complaints in writing where they are unable to do so. In such circumstances, complaints can be made verbally. In order to take forward the complaint on a formal basis the School should produce a written summary of the issues which it should agree with the parent before proceeding. In cases where the School receives a written complaint that is not sufficiently clear, it reserves the right to seek further clarification from the parent before considering the complaint at Stage 2. The Headteacher will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Headteacher or a senior member of staff not so far involved in the complaint, will meet/speak to the parents concerned, normally within 5 working days of receiving the written complaint, to discuss the matter and, if possible, reach a resolution. In a holiday, the Headteacher may agree to speak to the parent at a later date during the school term.
- In accordance with EYFS legislation, the school will resolve any formal complaints regarding pupils in our EYFS setting within 28 calendar days of having received the complaint and will inform the complainants of the outcome.
- It may be necessary for the Headteacher to carry out further investigations.
- The Headteacher will keep written records of all meetings and interviews held in relation to the complaint.

Once the Headteacher 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, usually within 10 school days of the acknowledgement of receipt, as well as information about how to appeal if they so wish. The Headteacher will also give reasons for her decision.

- If parents are still not satisfied with the decision, they may 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, or because of dissatisfaction with the response made to a formal complaint), they will be referred to the Chair of the Local Governing Body who will call a hearing 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 Banstead Prep School or United Learning. It is likely that one of the members of the panel would be a member of the Local Governing Body. The independent member must not be connected with the School or United Learning. DfE guidance is that a person who has held a position of responsibility and is used to analysing evidence and putting forward balanced arguments would be suitable. All the Panel members shall be appointed by United Learning or its representatives. The Chair of the Local Governing Body will acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 15 working days. In school holidays it may not always be possible to convene a hearing within 15 working days.
- If the Panel thinks it necessary, it may require 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 3 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, and the proceedings will not be tape-recorded without the consent of both the Chairman of the Complaints Panel and the parents, and any tape-recording will be used only to assist the Panel members in reaching their decision and formulating their reasons, and will belong to the School.
- If possible, the Panel will resolve the complaint immediately 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 all facts they consider relevant, the Panel will reach a decision and may make recommendations, which it shall complete within 10 working days of the Hearing. The Panel will write to the parents informing them of its decision and the reasons for it. The decision of the Panel will be final. The Panel's findings and, if any, recommendations will be provided to the parents, the Headteacher, the Local Governing Body and, where relevant, the person complained about.
- A copy of any findings is made available for inspection at the school by the UCST Board and Headteacher.

### **End of formal process**

There may be very rare occasions when the complainant feels that the school and the LGB have failed to appropriately address their complaint and that they must escalate it beyond the LGB. They can do this by contacting United Learning's Central Office where the complaint will be picked up by a designated representative who will investigate and respond to the concern.

A written record will be kept of complaints, whether they are resolved following a formal procedure or progress to a panel hearing and of action taken by the school as a result of those complaints, whether or not they were upheld.

Ofsted will be provided, 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.

### **Complaints about members of the Local Governing Body**

A complaint about a member of the Local Governing Body should be sent in a sealed letter to the Chair of Governors of the school. The Chair of Governors will investigate the issue and give a written response to the complainant usually within 15 school days from receipt of the letter.

A complaint about the Chair, or where the complainant believes their complaint about a member of the LGB has not been satisfactorily addressed by the Chair, should be sent to either the Chair of Trustees for ULT, Nigel Robson (academies) or the Chair of Trustees for UCST, Richard Greenhalgh (independent schools). The relevant Chair of Trustees will either investigate the issue themselves, or nominate a representative to do so on their behalf, and a written response will be given to the complainant usually within 15 school days from receipt of the letter.

### **Complaints against Central Office**

If the complaint relates to a member of central office, then the complaint should be directed to the Company Secretary at [company.secretary@unitedlearning.org.uk](mailto:company.secretary@unitedlearning.org.uk), clearly marked as a complaint in the subject box. The complaint will initially be passed to the relevant line manager to deal with.

As with complaints dealt with by schools, United Learning expects all concerns and complaints raised about central office colleagues to be dealt with in a respectful, impartial and non-adversarial manner usually within 10 school days. A full and fair investigation of the issue will be undertaken.

In the event that the complaint is not resolved satisfactorily with the line manager and the person concerned, the complaint will be reviewed by the Company Secretary who will investigate and aim to respond within a further 10 school days.

### **Complaints from Non Parents – Other Interested Parties**

If a complainant is made by another interested party, (not a parent or adult holding parental responsibility for a child at the school), including but not limited to neighbours or local residents, the complainant should follow the same procedures for a resolution as listed above.

### **Regulatory Bodies**

Individuals are also free to make a complaint directly to the relevant regulatory body.

Independent Schools:

- ISI: CAP House, 9-12 Long Lane, London EC1A 9HA
- Phone: 020 7600 0100 or e-mail via the ISI website: [www.isi.net](http://www.isi.net)

and/or (for complaints concerning the EYFS setting)

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### **Written records and confidentiality**

Banstead Prep School will keep confidential, accurate written records, for at least three years, of all complaints, the action taken and at what stage they were resolved. United Learning central office also keeps accurate written records for any complaints that get escalated there. A record of complaints and their outcomes is reviewed regularly by the Headteacher so that any patterns can be identified and appropriate interventions made. The number of complaints registered under the formal procedure during a school's previous academic year is shown at the bottom of this policy.

Parents can be assured that all complaints will be treated seriously and confidentially. All correspondence, statements and records relating to individual complaints are kept confidential wherever possible, except where the Secretary of State or a body conducting an inspection under section 162A of the 2002 Education Act, as amended, requests access to them.

Between September 2017 and September 2018 the number of complaints made under the formal complaints procedure is: 0 (NB Banstead Prep School opened to pupils in September 2017)

Date of next review: September 2019