



# Heath Mount School

## **Complaints Policy**

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**Heath Mount School, Hertfordshire**

**Independent Day and Boarding School for Boys  
and Girls**

September 2019



# Heath Mount School

## **1. Introduction and Scope**

- 1.1 This policy is the Complaints Policy for Heath Mount School ('the School'). It is a whole school policy, including the Early Years Foundation Stage (EYFS). The policy is reviewed by the Head and the Bursar annually and on an interim basis as required. It is ratified by the Board of Governors annually.

## **2. Accessibility**

This policy is published on the website. Copies can be requested from the School Office. It is available to staff in hard copy in the staffrooms and electronically via the policies file on the staff drive.

## **3. Related Documentation**

- 3.1 This policy has been written with regard to paragraph 33(k) of Part 7, Schedule 1 to the Education (Independent School Standards) (England) Regulations 2014. This policy is also drawn up having regard to Standard 18 of the National Minimum Standards for Boarding Schools (April 2015). In accordance with the above, the School will make this policy available to current and prospective parents and these details will also be provided, on request, to the Chief Inspector, the Secretary of State or the ISI.
- 3.2 This policy applies to all parents (including legal or education guardians) at School with minor changes detailed below for EYFS pupils in accordance with the EYFS Statutory Framework.
- 3.3 Whilst the policy is available to the parents of current or prospective pupils, the policy may, solely at the School's discretion, also be applicable to the parents of pupils who have left the school where the complaint has been received prior to the pupil leaving the School.

## **4. Exclusions**

- 4.1 In circumstances where a child has been permanently excluded from School, this policy is available at Stage 3 only, under circumstances where parents may wish to appeal against the decision.

## **5. Complaints and Sums Owing**

- 5.1 No complaint may be brought under the Policy in relation to the non-payment of any sum(s) owing to the School. If a parent has a complaint regarding any action taken (or proposed to be taken) by the School as a result of his/her failure to pay any sum(s) owing to the School, the parent may write to the Clerk to the Governors via the School Office who will refer the matter to the Chair of the Governors.



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- 5.2 Similarly, if a parent wishes to make a complaint, their attention will be drawn to the School's standard Terms & Conditions under which a place is accepted; the making of a complaint does not remove the obligation to settle fees due and payable under those terms and conditions.
- 5.3 The School is committed to providing the best quality teaching and pastoral care for its pupils. However, we recognise that there may be instances in which a parent may have a concern or worry that needs to be brought to the School's attention.

## **6. Defining a Complaint**

- 6.1 A complaint is an expression of dissatisfaction about any aspect of the School, real or perceived. It may be about a department, an individual, about something that the School has done or failed to do. Parents should be assured that all complaints will be received in a positive, sensitive manner with the aim of putting right what may have gone wrong, reviewing our systems and responses accordingly. Complaints will be dealt with fairly, quickly and efficiently. Parents can be assured that pupils will never be adversely affected or penalised where a complaint has been raised in good faith.

## **7. Anonymous Complaints**

- 7.1 The School will not deal with anonymous complaints (except for Child Protection matters) and therefore these procedures do not provide for a resolution of anonymous complaints.

## **8. Time Frame for Dealing with Complaints**

- 8.1 The complaints procedure follows a three step process:
  - 8.1.1 Stage 1 – Informal Resolution
  - 8.1.2 Stage 2 – Formal Resolution
  - 8.1.3 Stage 3 – Panel Hearing
- 8.2 The School aims to acknowledge complaints within five working days during term time and as soon as is practicable and reasonable during holiday periods. It is good practice and in everyone's interest that the issue is handled as efficiently and sensitively as possible. The School aims to complete Stage 1 within 14 working days and stage 2 within 28 working days of written notification of intention to proceed to stage 2 during term time and as soon as is reasonably practical during holidays. The School would aim to complete Stage 3 within a further 28 working days of receipt of intention to proceed to stage 3. All time frames apply during term time. Completion of each stage would be as soon as is reasonably practical during holidays. Complaints received within one month of the end of term or half term are likely to take longer to resolve owing to the school holidays and the unavailability of personnel. A working day is defined as a weekday (Monday – Friday) during term time, excluding bank holidays.



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## 9. Recording Complaints

- 9.1 Following resolution of a complaint, the School will keep a written record of all formal complaints (Stage 2 and 3) and at which stage they may be resolved and any action taken as a result of the complaint. A record of all formal complaints is kept in the Headmaster's office and is confidential.
- 9.2 At the School's discretion, additional records may be kept which may contain the following information:
  - 9.2.1 Date when the issue was raised;
  - 9.2.2 Name of parent;
  - 9.2.3 Name of pupil;
  - 9.2.4 Description of the issue;
  - 9.2.5 Records of all the investigations (if appropriate);
  - 9.2.6 Witness statements (if appropriate);
  - 9.2.7 Name of member(s) of staff handling the issue at each stage;
  - 9.2.8 Copies of all correspondence on the issue (including emails and records of telephone conversations).
- 9.3 Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required under paragraph 33(k) of Part 7, Schedule 1 to the Education (Independent School Standards) (England) Regulations 2014 by the Secretary of State or where disclosure is required by the ISI under Section 109 of the Education and Skills Act 2008 (as amended), or under other legal authority.

## 10. Stage 1 – Informal Resolution

- 10.1 The School expects that most concerns and complaints can be resolved informally. Informal complaints may be raised verbally, in writing, by email or by phone. Parents may speak to any member of staff regarding their issue but should be as clear as possible about what is troubling them. It may be best to start with the person concerned or with the pupil's Form Tutor but parents may approach any member of staff, including the Headmaster with their issue.
- 10.2 A written record of the concern will be made by the person receiving it including details of the issue, who raised it and who it concerns. This information will be copied to the Headmaster and Bursar. The record will be kept on a central file.
- 10.3 The School's pastoral system is designed to support pupils and parents to resolve issues sensitively and amicably and staff are encouraged to try and resolve the matter with regard to our pastoral guidance. If they cannot, they may refer to a Head of Department or one of the Senior Management Team who will aim to resolve the situation informally.
- 10.4 If the concern is about the Head, the concern should be recorded as a complaint and the complaint should still be addressed to the Head who will deal with it accordingly.



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- 10.5 If a parent is dissatisfied with the response to all informal complaints or in the event that the complaint/concern cannot be resolved by informal means within 14 working days after receipt of the concern/complaint during term time, then parents are advised to proceed to Stage 2 – Formal Resolution.

## **11. Stage 2 – Formal Resolution**

- 11.1 If the matter has not been resolved at Stage 1 then parents are requested to make their complaint in writing to the Head. The complaint will be resolved within 28 working days of receipt of written notification of the intention to proceed to Stage 2. Knowledge of formal complaints will be limited to the Headmaster, those directly involved and the Chair of the Governors.
- 11.2 The Head will carry out further investigations, seek to establish the facts and will keep a written record of all conversations and findings. The Head will then write to the parents with the relevant facts, his findings and supporting evidence for his decision.
- 11.3 There may be instances parents have not progressed the matter via Stage 1, for example, parents may seek a formal meeting with the Head, or raise issues via a formal letter, which may require a written response from the School. This would normally be regarded as a formal complaint, even if it has not been referred to as such in the letter.
- 11.4 If the complaint is against the Head, the complaint should still be addressed to the Head who will deal with it accordingly. If the complaint is not resolved to the satisfaction of the parents then the matter will progress to Stage 3, by following the guidance below.

## **12. Stage 3 – Panel Hearing**

- 12.1 If the matter is not resolved at completion of the Stage 2 process then parents can invoke Stage 3 of the process.
- 12.2 If parents wish to invoke Stage 3, they should write to the Chair of Governors, via the Clerk to the Governors, who has been appointed by the Governors to call hearings of the Complaints Panel. Parents should make the request within 7 days of receipt of the Stage 2 decision. The complainant must ensure that a copy of all relevant documents and their full contact details accompany the letter to the Clerk. The letter must state the outcome that the complainant desires and all of the grounds of their complaint. The letter must be accompanied by a list of the documents which the complainant believes to be in the School's possession and wishes the Panel to see. Upon receipt of the letter invoking the Stage 3 process, the steps leading up to the Panel hearing and the hearing itself must take place unless the parents subsequently indicate in writing that they are now satisfied and do not wish to proceed further.
- 12.3 They will be invited to a panel meeting within 28 working days of receipt of the written notification of the intention to invoke the stage 3 process, Stage 2 being completed. The Clerk to the Governors will convene the Complaints Panel as soon



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as is reasonably practicable but the Panel will not normally sit during half term or school holidays. 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 running as well as the management of the School. Each of the Panel members shall be appointed by the Board of Governors.

- 12.4 The Panel may request further particulars, usually no later than 7 working days prior to the hearing. Copies of any further particulars shall be supplied to all parties not later than 3 working days prior to the meeting. Parents will be invited to attend the hearing and may be supported by a friend but legal representation will not usually be appropriate at this stage. If parents either inform the School that they have decided not to attend (but do not indicate in writing that they are satisfied, thus terminating the procedure) or fail to attend a Panel hearing, that Panel hearing should proceed in absentia and the Panel should issue findings on the substance of the complaint, thereby bringing the matter to a conclusion. The requirement for the Panel to proceed in absentia if it proves necessary does not prevent the School from accommodating parental availability for dates or considering comments concerning Panel composition.
- 12.5 The Panel will try to resolve the dispute amicably, but where it cannot it may, at its discretion, adjourn the hearing for further investigation of any relevant issue.
- 12.6 The Panel will present their findings and recommendations by email within 14 days of the hearing. A copy of the findings and recommendations will be maintained by the Head and the Bursar within the central record. This copy is available for inspection at the School by the Head and the Chair of Governors. A copy of the Panel findings will be available to the complainant, and where relevant the person complained about.

## **13. Private Proceedings ('ADR')**

- 13.1 A hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be disclosed directly or indirectly to the press or other media and / or disseminated via any other media, including social media.

## **14. Alternative Dispute Resolution**

- 14.1 At the conclusion of the Stage 3 process, the School will provide the parents with the name and address of a certified Alternative Dispute Resolution (ADR) entity to deal with any unresolved dispute, should both parties wish to engage in ADR. However, the School is not required by law to enter into ADR and may do so at its discretion.

## **15. Vexatious Complaints**

- 15.1 The decision of the Panel at Stage 3 of the Complaints Process is final. If parents attempt to reopen the same issue, the Chair of Governors will inform them in writing that the Complaints procedure has been exhausted and that the matter is now closed. If the parent writes again on the same issue, then the



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correspondence may be recognised as vexatious and there will be no obligation on the part of the School to respond.

## **16. Complaints:**

- 16.1 The number of complaints registered under the formal procedure (Stage 2 and Stage 3) during the period September 2018 – September 2019 was 0.
- 16.2 All records created in accordance with this policy are managed in accordance with the School's policies that apply to the retention and destruction of records.
- 16.3 The School keeps a written record of all formal complaints, including the following whether they were resolved at Stage 2 or Stage 3.
- 16.4 The action taken by the School as a result of the complaints (regardless of whether they are upheld).
- 16.5 In accordance with data protection principles, details of individual complaints will be kept only for as long as is considered to be reasonably necessary in the circumstances.
- 16.6 Correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested by the Secretary of State or where disclosure is required in the course of an inspection or under other legal authority or court order.
- 16.7 Governors are presented with an oversight of all concerns and complaints at Full Board of Governors meetings so that patterns and concerns can be discussed.
- 16.8 A complaint about the fulfilment of the School's EYFS requirements will be made available to Ofsted and the Independent Schools Inspectorate (**ISI**) on request.
- 16.9 The records created in accordance with this policy may contain personal data. The School has a number of privacy policies which explain how the School will use personal data about pupils and parents. The privacy notices are published on the School's website. In addition, staff must ensure that they follow the School's data protection policy and procedures when handling personal data created in connection with this policy. This includes the School's data protection policy and information security and sharing data guidance.

## **17. Complaints to Ofsted and the Independent Schools Inspectorate**

- 17.1 Parents of children in the School's Early Years Foundation Stage have the right to contact Ofsted and / or ISI if they believe the School is not meeting the EYFS requirements.
- 17.2 Ofsted can be contacted on 0300 123 4666 or at [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk).
- 17.3 ISI can be contacted at [concerns@isi.net](mailto:concerns@isi.net) or on 020 7600 0100.



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## 18. Monitoring and Review

<b>Governors Committee Reviewing</b>	Governance Committee
<b>Date last formally approved and became effective</b>	-
<b>Period of review</b>	Annually
<b>Person responsible for implementation and monitoring</b>	Headmaster
<b>Related policies</b>	Child Protection & Safeguarding Policy