

CONCERNS & COMPLAINTS POLICY

I. Introduction

1.1. Downside School takes great pride in the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a concern or complaint, they can expect it to be treated by the School in accordance with this Procedure. Downside School does not consider a concern to be different from a complaint.

1.2. Downside School understands that this is a regulatory policy. This policy and its effectiveness will be reviewed regularly by Governors – at least annually – and will be amended as necessary according to the latest statutory guidance and advice.

1.3. Downside School makes its complaints procedure available to all parents of current pupils on the School's website and in the Head's office. A copy of the procedure can also be made available in larger print or more accessible format if required. Downside School will ensure that parents of current pupils who request a copy of this procedure are made aware that this document is published or available and the forms in which it is published or available.

1.4. Although all formal complaints will be made in writing, this does not mean that the formal stage is automatically triggered whenever a concern is expressed in writing, for example, by email. Complaints will usually only progress to the formal stage after first being considered at the preliminary stage and only then if the complainant intends to escalate a matter to the formal stage.

1.5. From January 2015, the written record of complaints is limited to all those made in writing under the formal part of the procedure. In relation to these complaints only, Schools are required to record whether they are then resolved at that stage or proceed to a panel hearing. It is up to Schools to determine whether or how they also wish to keep a record of informal complaints. Inspectors may advise that many proprietors wish to ensure records are kept, even of informal complaints, for management purposes to enable patterns of low-level concern to be monitored, though this is not a requirement.

1.6. In accordance with the Education (Independent School Standards) Regulations 2014 (as amended), Downside School will make available to parents of pupils and provide, on request, to the Chief Inspector, the Secretary of State or a body conducting an inspection under Section 109 of the 2008 Act., details of the complaints procedure and the number of complaints registered under the formal procedure during the preceding School year.

1.7. It should be noted that the Complaints Procedure applies to past pupils if the complaint was initially raised when the pupils were still registered at the School, and it does not cover exclusions.

2. Confidentiality

2.1. Complaint or concern will be treated in a confidential manner and with respect. Knowledge of it will be limited, as far as is possible, to the Head and those directly involved. The Chair of Governors may also need to be informed. It is the School's policy that complaints made by parents should not rebound adversely on their children.

2.2. We cannot entirely rule out the need to make third parties outside the School aware of the complaint and possibly also the identity of those involved. This would only be likely to happen where, for example, a child's safety was at risk or it became necessary to refer matters to the police. Whenever possible parents will be kept informed if this is the case.

2.3. While information relating to specific complaints will be kept confidentially on file, we would point out that anonymous complaints may not be pursued. Action which needs to be taken under staff disciplinary procedures as a result of complaints will be handled confidentially within the School.

3. Timeframe for dealing with complaints

3.1. It is hoped that most complaints and concerns will be resolved quickly and informally. They will be acknowledged within 7 working days during term time and as soon as practicable during the holiday periods. The School's target is to complete the first two stages of the procedure within 28 working days if the complaint is lodged during term-time and as soon as practicable during holiday periods.

3.2. Complaints reaching Stage 3, the Appeal Panel Hearing, will normally be completed within a further 28 working days of receipt of a request for a panel hearing, if the appeal is lodged during term-time and as soon as practicable during holiday periods.

4. Recording complaints

4.1. The School will keep written records of all formal complaints. Formal written complaints to the Head and those which are not resolved at Stage 1 – Informal Resolution, will be recorded on a register held by the Deputy Head, noting at which stage they were resolved or whether they proceeded to a panel hearing. A written record will also be kept of action taken by the School as a result of a complaint, regardless as to whether it is upheld. At the School's discretion, additional records may be kept which may contain the following information:

- 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 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)

4.2. Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

5. Stage 1 – Informal Resolution

5.1. If parents have a complaint, it may be best to start with the person most closely concerned with the issue, who can therefore remedy the complaint quickly. However, parents may prefer to take the matter to a more senior member of staff, for example, , the Director of Pastoral Care, the Deputy Head, the Finance Director, Director of Operations or the Head.

5.2. Complaints made directly to the Head will usually be referred to the relevant teacher, or the member of staff most closely concerned with the issue, unless the Head deems it appropriate for him to deal with the matter personally.

5.3. The teacher or appropriate member of staff will make a written record of all concerns and complaints and the date on which they were received.

5.4. Every effort will be made to resolve the matter of the complaint at the informal stage rather than allowing it to pass on to more formal procedures. Should the matter not be resolved within seven working days or in the event that a satisfactory resolution is not achieved then parents will be advised to proceed with their complaint in accordance with stage 2 of this procedure.

5.5. Any complaint against the Head should be made directly to the Chair of Governors at the address set out below. He will be responsible for investigating the complaint appropriately, responding to the complainant in line with the procedures above and keeping his own record of any such complaints.

6. Stage 2 – Formal Resolution

6.1. An unresolved concern under Stage 1, or a complaint which needs investigation, or a dissatisfaction with some aspect of the School's policies, procedures, management or administration should be set out in writing with full details and sent with all relevant documents and your full contact details in an envelope addressed to the Head. He or someone on his behalf will use his or their best endeavours to acknowledge your complaint by telephone, fax, e-mail or letter within two working days during term time, and as soon as practicable in the holidays, indicating the action that is being taken and the likely time scale. If the complaint is about the Head, the written complaint should be addressed to the Chair of Governing Body who will follow the same procedure.

6.2. The Head will contact or arrange to meet the parents concerned, normally within 7 working days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.

6.3. It may be necessary for the Head to carry out further investigation or to refer the matter to the Chair of Governors.

6.4. The Head will keep written records of all meetings and interviews held in relation to the complaint for at least three years.

6.5. The Head will provide ISI (Independent Schools' Inspectorate), if requested, with a written record of all complaints made during a specified period, and action which was taken as a result of each complaint.

6.6. Once the Head is satisfied that, so far as is practicable, all the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The Head will also give reasons for his decision.

6.7. If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

7. Mediation

7.1. The Chair of Governors will decide whether the complaint should be referred to the Governors' Complaints Panel or whether a mediation stage should be offered.

7.2. Mediation can only proceed if the Complainant and the Head teacher are willing to undertake this course of action. Should mediation be unsuccessful, the complaint will be considered by the Governors' Complaints Panel.

7.3. Mediation can be an effective means by which to resolve a complaint:

- It gives both the complainant and the Head teacher a further opportunity to hear each other's points of view (with a third party facilitating).
- It gives the third party an opportunity to help the Head teacher and Complainant identify and build on areas of agreement.
- It gives the Head teacher and the Complainant a structure within which to resolve remaining differences.
- As and when the complainant and the Head teacher emerge from the mediation satisfied, this is the best foundation for a continuing positive relationship.
- Should the complaint continue and be referred to a Governors' Panel, the issues to be considered are likely to be clearer following mediation.

7.4. Mediation may elicit one or more of the responses listed below from either party:

- an acknowledgement that the complaint is valid in whole or in part
- an apology
- an explanation
- an admission that the situation could have been managed differently or better
- an assurance that the event will not recur
- an explanation of the steps which have been taken to ensure that it will not happen again
- an undertaking to review School policies in light of the complaint

7.5. The following organisations may be used:

- CEDR (Centre for Effective Dispute Resolution – <http://www.cedr.com>)
- Civil Mediation Council (www.civilmediation.org) Stage 3 – Panel Hearing

7.6. If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they will be referred to the Chair of Governors.

7.7. The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of at least three people who were not directly involved in the matters detailed in the complaint. Where there is a panel hearing of a complaint, one person will be independent of the management and the running of the School. Each of the Panel members shall be appointed by the Chair of Governors, who on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 14 working days.

7.8. The Panel Hearing will take place unless the parent later indicates that they are now satisfied and do not wish to proceed further.

7.9. 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. Copies of such particulars shall be supplied to all parties not later than 7 working days prior to the hearing.

7.10. 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. Parents should be asked to name any supporter and their relationship to the parent in advance of the hearing.

7.11. If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation.

7.12. 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 will complete within 14 working days of the Hearing. The Panel will write to the parents (where possible, a copy will also be sent by e-mail) informing them of its decision and the reasons for it, within 28 days of having received the complaint. The decision of the Panel will be final. The Panel's findings and any recommendations will be sent in writing to the parents, the Head, the Governors and, where relevant, the person about whom the complaint was made within this 28 day period.

7.13. Parents can be assured that all concerns and complaints will be treated seriously and confidentially. The School keeps a written record of all complaints and of whether they are resolved at the preliminary stage or proceed to a Panel Hearing and of action taken by the School as a result of these complaints. On reviewing this, Governors will consider how improvements can be made. A record of complaints is kept for at least 3 years.

7.14. All correspondence, statements and records will be kept confidential except where the Secretary of State or a body conducting an inspection under Section 108 or 109 of the 2008 Act, as amended, requests access to them, or where any other legal obligation prevails.

7.15. Should any aspect of the complaints' procedure remain unresolved, it is possible for parents to bring such matters to the attention of the Independent Schools' Inspectorate.

7.16. This organisation may be contacted at: www.isi.net . ISI's postal address is:

Independent Schools Inspectorate
CAP House 9 - 12
Long Lane
London
EC1A 9HA

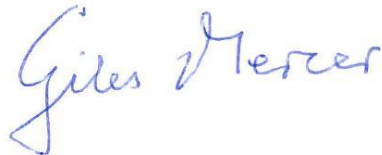
7.17. Boarders and their parents who have a complaint about welfare which they feel has not been answered by the School's normal procedures can inform a visiting inspector or contact the ISI on 020 7710 9900 or via the website www.isi.net. Alternatively, they may contact the Children's Commissioner about their concerns on 0800 528 0731 or via the website www.childrenscommissioner.gov.uk.

Chair of Governors
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There has been one concern or complaints which were not resolved at Stage I – Informal Resolution during the academic year September 2020 and July 2021 and September 2021 - March 2022.

Downside School Policy Approval Record**Reviewed by** Deputy Head**Date** March 2022**Authorised by** Chair of the Board of Governing Body**Date** March 2022**Next Review** March 2023**Circulation** Governors / all staff / [volunteers] automatically
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