

Wellington College

Academic Year 2023 - 2024



Document Control

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Policy/Procedure Owner:	Katherine Baker
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Policy should be reviewed annually and review details included in italics at the end of the policy together with the initials of who reviewed the policy. Any amendment mid-year also to be tracked at the bottom of the policy.

All policies to use the font Gill Sans MT font size 11.

WELLINGTON COLLEGE PARENT COMPLAINTS PROCEDURE

Introduction

1. Wellington College prides itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a complaint, they can expect it to be treated by the College in accordance with this procedure. Parents can be assured that all complaints will be treated seriously and confidentially. The College 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.
2. A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the College as a whole, about a specific department or about an individual member of staff, and any matter about which a parent is unhappy and seeks action by the College is within the scope of this procedure. A complaint is likely to arise if a parent believes that the College has done something wrong, failed to do something that it should have done or has acted unfairly.¹
3. This procedure applies to parents of pupils currently on the roll of the College. It does not apply in respect of past pupils unless the complaint was initially raised whilst the pupil was still on the College roll. This procedure does not apply to complaints by prospective parents, including those who have accepted a place at the College in respect of their child but where that child has not yet started at the College.
4. The College will not normally investigate any anonymous complaints. However, the Master or Clerk to the Governors, as appropriate, will determine whether the complaint warrants an investigation.
5. The College's Terms and Conditions sets out the circumstances in which the Master may expel a pupil or require a pupil to be removed. Wherever practicable, the parents of the pupil concerned will be invited to discuss the issue with the Master (or in his absence the Second Master) before a final decision is taken. The Master is required to inform the Chairman of Governors without delay of the decision and the circumstances. If the parents wish to contest the Master decision, they may exercise a right of appeal to the Appeal Panel of the Governors following the Stage 3 Procedure set out below. Such process is deemed to be the Governors' Review Procedure for the purposes of the College's Terms and Conditions.
6. Any references to communications in writing may be sent by email to the address of the parents currently held by the College.
7. Parents should not approach individual Governors to raise concerns or complaints. Governors have no power to act on an individual basis and it may prevent them from considering complaints if escalated to Stage 3 of the procedure.

Time Limit for Bringing a Complaint.

All Complainants should notify a complaint as soon as practicable. Complaints submitted 3 months after the issue the subject of the complaint (or where there is a series of associated issues the last of these issues) will not be considered unless there are exceptional circumstances. These may include (but are not limited to) subsequent information about the complaint coming to light and a valid explanation of why it was not possible to give notification of the complaint sooner, where the complaint is of an especially serious matter or where there is reasonable justification for why the Complainant has been unable to raise the complaint before this time. In such cases, the person dealing with the complaint in accordance with the procedure set out below shall determine whether the complaint should be considered.

¹ For the avoidance of doubt, requests for appeals against IB programme decisions taken by the College are covered by this policy.

Timeframes for Dealing with Complaints

1. Working days for the purposes of this procedure shall mean any day during term time other than a Saturday, Sunday, UK public holiday, or a day falling on a Long Leave Weekend or Exeat. Term dates can be found on the College website. Any complaints raised during College holidays (including Exeats and Long Leave Weekends) will be acknowledged and this procedure commence when the College re-opens. In calculating the number of days, the day of receipt of the complaint and the day of despatch of the response shall not be counted.
2. If other bodies are investigating aspects of the complaint (for example, the police, local authority safeguarding teams or any tribunal), this may impact on our ability to adhere to the timescales within this procedure or result in this procedure being suspended until those public bodies have completed their investigation.
3. It may also take longer to resolve a complaint during periods of significant disruption to College life or as a consequence of unavoidable staff absence. However, deviation from the normal timetable on this ground should only happen in exceptional circumstances and the College will take all reasonable steps to limit any such delay.

Where the Complaints Process may be suspended

If there is an allegation or concern about physical or sexual misconduct towards a child, or there is a belief that a child may be at risk of serious harm, the College may immediately refer the case to child protection and welfare services and other authorities, including the police, as required by law and best practice. If it is decided that there is cause for an official investigation, the decisions by these authorities will supersede those made by the College and outlined in this document. Where the complaint relates to a safeguarding referral made by a member of staff at the College, any consideration of that complaint by the College will be limited to a review of the reasonableness of the decision to make the referral in light of the evidence available to the member of staff at that time and in light of the College's safeguarding policies.

The Procedure

Stage 1 - Informal Resolution

It is hoped that most complaints and concerns will be resolved quickly (within 10 working days) and informally.

A parent making a complaint should contact one of the following in the first instance:

- (a) the relevant Head of Department in respect of any academic or co-curricular matter;
- (b) the relevant Housemaster/mistress in respect of any pastoral matter;
- (c) the relevant Head of Year in respect of any year group matter; or
- (d) the Examinations Office in respect of the sitting of an IB, A-Level or GCSE examination.

If a complaint is about a Head of Department, Housemaster/mistress or Head of Year, the parent should contact the Deputy Head (Academic), Deputy Head (Pastoral) or Deputy Head (Co-Curricular) as appropriate.

If a complaint is about the Master, parents should raise this with the Clerk to the Governors.

The member of staff to whom the complaint is made will make a written record of the complaints, the date on which it was received and the outcome.

The member of staff to whom the complaint has been made may consult with colleagues, meet with the pupil, parents or any other person involved in order to resolve the complaint and restore relations between those concerned. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If not, the parent will be made aware of this procedure and advised to proceed with their complaint in accordance with Stage 2.

It should be noted that any complaints made by a parent to the Master, Second Master any other member of staff will be, in the first instance, referred to the relevant Head of Department, Housemaster/mistress or Head of Year to address or, if the complaint is about that person, to the Deputy Head (Academic), Deputy Head (Pastoral) or Deputy Head (Co-Curricular) as appropriate.

Stage 2 - Formal Resolution

1. If the complaint is not resolved to the parent's satisfaction by the informal process, then, unless the complaint is about the Master, the parents should put a formal complaint in writing to the Master providing details of the complaint, the reason they are not satisfied with the response and the outcome they are seeking. In most cases, the Master will appoint the Second Master or other senior colleague to conduct this part of the procedure on his/her behalf. References in this section to the "Master" include the Second Master or other senior colleague. If the complaint is about the Master, the procedure set out below should be followed.
2. The Master will respond to the parent concerned within five working days indicating how the College proposes to deal with the formal complaint. This will usually involve an investigation being undertaken as to the matters leading to the complaint. In appropriate circumstances, an alternative approach (for example, mediation) may be proposed.
3. Once the Master, is satisfied that, so far as is practicable, all of the relevant facts have been established and any investigation is complete, a decision will be made as to the outcome of the complaint and the parents will be informed of this decision and the reasons behind it in writing, within 15 working days from the receipt of the complaint. Alternatively, he may choose to meet with or speak to the parents to discuss the matter and communicate his decision and the reasons behind it in which case he will follow this up in writing within 15 working days from the receipt of the complaint.
4. The Master will keep written records of all meetings and interviews held in relation to the complaint.
5. If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

If the complaint is about the Master, parents may submit their complaint to the Chairman of Governors by writing to the Clerk to the Governors, Wellington College, Crowthorne, RG45 7PU. Within three working days of receipt, the Clerk will refer the complaint to the Chairman of Governors. Within five working days of such referral, the Chairman of Governors will nominate a Governor to consider the complaint and, via the Clerk, write to the parents with the name of the nominated Governor. The nominated Governor will ask for a report from the Master and will investigate matters (including, if appropriate, speaking to the parents concerned). Once the nominated Governor is satisfied that, so far as is practicable, all of the relevant facts have been established and any investigation is complete, a decision will be made as to the outcome of the complaint and the parents will be informed of this decision and the reasons behind it in writing, within 15 working days from his/her nomination. If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

Stage 3 - Panel Hearing

1. If parents wish to invoke Stage 3, within ten working days of the Master's decision (or the decision of the nominated Governor in the case of a complaint about the Master) they must submit a written complaint addressed to the Clerk to the Governors, Wellington College, Crowthorne, RG45 7PU. Such

complaint should give reasonable particulars of the complaint, specify the outcome being sought and include any documents or other evidence or details of witness to fact or character on which the parents intend to rely.

2. New matters of complaint will not be reviewed at this stage and any evidence unrelated to the initial complaint will not be considered. If new matters of complaint are raised at this stage, they will be acknowledged and the parents informed of the person to whom they have been referred under Stage 1.
3. The Clerk to the Governors will refer an appeal to the Appeal Panel for consideration within five working days of receipt of the complaint. The Appeal 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 College. Each of the Appeal Panel Members shall be appointed by the Chairman of Governors.
4. The Clerk to the Governors, on behalf of the Appeal Panel, will acknowledge the appeal and schedule a hearing to take place within 20 working days of the date of the complaint. The Clerk will notify the parents and the Master of the date of the appeal hearing and ask whether they plan to attend and speak at the hearing. If the parents elect not to attend a hearing, the College remains obliged to hold the hearing in line with the procedures outlined in this policy and the Appeal Panel will rely on written submissions to reach findings on the substance of the complaint. If the parents do wish to attend a hearing, the Appeal Panel will (i) determine whether the hearing will be held physically in person or virtually using Teams or similar software and (ii) make all reasonable efforts to facilitate parents exercising their right to attend the Appeal Panel hearing. However, if the parents cannot attend the scheduled date or any of three alternative dates proposed, the hearing shall proceed in their absence on the basis of written submissions only. If the parents cannot attend the scheduled date or the first alternative date proposed, the remaining two alternative dates may be after the expiry of the original 20 working day period but should be within 25 working days of the date of the complaint.
5. Both the parents and the Master may be accompanied to the hearing by one other person if they wish provided that they provide the details of such person and a statement of the capacity in which they are attending to the Appeal Panel in advance. In either case, this person (i) may be a relative, teacher or friend, (ii) must be over the age of 18 and not a pupil at the College, (iii) must undertake to accept the confidentiality of the appeal and (iv) shall not have the right to address the Appeal Panel unless expressly invited to do so by the Appeal Panel. Legal representation will not normally be appropriate and legal representation requires the prior approval of and is subject to any conditions imposed by the Chair of the Appeal Panel.
6. The hearing will not be conducted in an adversarial way and the primary concern of the Appeal Panel is to deal with matters fairly and, therefore, the chairman of the Appeal Panel has discretion to conduct the hearing (including deciding who may attend) in any way which will achieve this. Subject to the rules set out in this document, the Appeal Panel may regulate their proceedings and give such directions as they see fit.
7. If the Appeal Panel deems it necessary, they may require that further particulars of the complaint or any related matter and any relevant documents or records be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than five working days prior to the hearing.
8. The Appeal Panel will decide whether it would be helpful for witnesses to attend and who those witnesses should be.
9. If the Chair of the Appeal Panel reasonably believes that the Appeal Panel should hear evidence from an individual in private (i.e. in the absence of the person bringing the complaint or any third party), he or she may so decide. This is likely to be the case for example in circumstances where the presence of other persons would place the College in breach of its safeguarding or data protection obligations. In such circumstances, the complainant will be given reasons for the decision and a summary of the individual's relevant evidence after the event if the Chairman of the Appeal Panel believes the evidence to be relevant to the complaint and can be disclosed without breaching safeguarding or data protection

obligations. The Appeal Panel may withhold the identity of a pupil who gives evidence in private to the Appeal Panel.

10. If possible, the Appeal Panel will resolve the parents' complaint immediately without the need for further investigation. Where further investigation is required, the Appeal Panel will decide how it should be carried out. This process shall be completed within 10 working days of the hearing.
11. After due consideration of all facts they consider relevant, the Appeal Panel will reach a decision whether to uphold or dismiss the complaint in whole or in part and may make recommendations. The Appeal Panel may make a decision by majority vote.
12. The Appeal Panel will write to parents, the Master, the Chair of Governors and, if relevant, the person(s) being complained about informing them of the outcome of the complaint, the reasons for this and of any recommendations within fifteen working days of the hearing or, if further investigation was required, within ten working days of the date such investigation was concluded. Whilst the Appeal Panel may make recommendations to the College, the Appeal Panel cannot make any financial award nor impose sanctions on staff, pupils or parents.
13. The decision of the Appeal Panel will be final and represents the conclusion of this procedure.
14. The Appeal Panel's findings and recommendations will be available for inspection on the College's premises by Governors and the Master.

Contacting the Independent Schools Inspectorate (ISI)

The College is inspected by ISI. Parents have the right to contact the ISI if they have a complaint regarding the College's general education, pastoral or boarding provision. ISI will usually expect parents to have followed the College's formal complaints procedure before contacting them. However, you can report your concerns to ISI on 020 7600 0100 or at concerns@isi.net or you can write to the ISI at CAP House, 9 – 12 Long Lane, London, EC1A 9HA.

Managing Serial and Persistent Complaints or Complaint Campaigns

The College will do its utmost to be helpful to people who make contact with a complaint, concern or request for information. However, there may be occasions when, despite all stages of the complaints' procedure having been followed, the complainant remains dissatisfied. If a complainant attempts to re-open the same issue, the College will inform them that the procedure has been completed and that the matter is now closed. If the complainant contacts the College again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent' and the College may choose not to respond. However, this will not occur until the complainant has completed the three stages of the complaints' procedure.

The application of a 'serial or persistent' designation for a complaint will be against the subject of the complaint rather than the complainant themselves.

In the event of a "complaint campaign" (that is, a complaint from three or more separate individuals (whether or not connected with the College) which all relate to the same or substantially the same issue and are all (or the initial three complaints are) received within a four week period), the College may deviate from the procedure set out in this policy and instead send a template response to all complainants and/or publish a single response on the College's website.

Documentation, Record Keeping and Confidentiality

1. A copy of this procedure as well as the number of complaints dealt with by the College under the formal procedures can be found on the College's website.
2. The College will ensure that parents who request a copy of this procedure are made aware that this document is published or available and the form in which it is published or available.

3. Parents can be assured that all complaints will be treated seriously and confidentially, although the Appeal Panel's findings and recommendations will be available for inspection (see above). 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 s109 of the Education and Skills Act 2008 requests access to them or under other legal authority.
4. The College maintains a record of all formal parent complaints stating whether the complaint was resolved following the formal procedure or proceeded to a panel hearing and will state the action taken as a result of the complaint (regardless of whether the complaint was upheld) and whether the complaint relates to boarding. The records will be maintained for at least seven years for regular review by senior management and inspection by inspectors. If a complaint has a safeguarding element, such records will be maintained until the accuser has reached normal pensionable age or, if longer, 10 years from the date of the allegation. The College will provide ISI on request with a written record of all complaints made during any specified period and the action taken as a result of each complaint.

Monitoring and Review

The Board of Governors will monitor the number and type of complaints received and the operation of the procedures set out in this policy. They will also review the policy at least annually to ensure it meets statutory requirements and continues to reflect best practice.

In the academic year 2022/23 the College received one formal complaint, which did not progress to a Panel Hearing.

Reviewed HH Sept 2023