



PARENTS' COMPLAINTS & APPEALS POLICY/PROCEDURE

Whole school including the EYFS

Relevant Statutory Regulations:	ISSR Part 6 Para 32 (3)(f). ISSR Part 7 Para 33. NMS 18. EYFS 3.74-3.75 E78-E80. Data Protection Act 2018. Education and Skills Act 2008.
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Introduction

LVS Ascot has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a complaint or wish to appeal against a decision, they can expect it to be treated by the School in accordance with this Policy and Procedure.

Stage 1 – Informal Resolution

It is hoped that most complaints and concerns will be resolved quickly and informally.

For pupils in Years 7 - 13:

If parents have a complaint or concern, they should normally contact their son/daughter's form tutor initially. In many cases, the matter will be resolved straight away by this means to the parents' satisfaction. If the Tutor cannot resolve the matter alone, it may be necessary for him/her to consult the Integrated Housemaster/Housemistress (IHM) as is appropriate.

Complaints made directly to the IHM will usually be referred to the relevant tutor unless the IHM deems it appropriate for him/her to deal with the matter personally.

The tutor will make a written record of all concerns and complaints and the date on which they were received. It is hoped that the matter will be resolved at this stage. However, should the matter not be resolved within 7 working days (or as soon as reasonably practicable but normally within 14 working days during school holidays), or in the event that the tutor/IHM and the parent fail to reach a satisfactory resolution, then parents will be advised to proceed with their complaint or appeal in accordance with Stage 2 of this Procedure.*

For pupils in EYFS - Year 6:

If parents have a complaint, they should normally contact their son/daughter's class teacher initially. In many cases, the matter will be resolved straight away by this means to the parents' satisfaction. If the class teacher cannot resolve the matter alone, it may be necessary for him/her to consult the Deputy Head of the IJS.

The class teacher will make a written record of all concerns and complaints and the date on which they were received. It is hoped that the matter will be resolved at this stage. However, should the matter not be resolved within 7 days (or as soon as reasonably practicable but normally within 14 working days during school holidays), or in the event that the Class

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teacher/Deputy Head and the parent fail to reach a satisfactory resolution, then parents will be advised to proceed with their complaint in accordance with Stage 2 of this procedure.*

Stage 2 – Formal Resolution – Preliminary Stage

If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Principal or Head of Infant and Junior School (IJS). Parents should give details of their complaint, such as dates and times of events and any relevant documents so that the complaint can be properly investigated. The Principal/Head will decide, after considering the complaint, the appropriate course of action to take. Where the complaint concerns the Principal/Head, the complaint will be directed to the Chair of the Ascot Governing Body.

In most cases, the Principal will meet the parents concerned, normally within 2 weeks of receiving the complaint in the Senior School, and within 7 working days for EYFS and Junior School pupils, to discuss the matter (or as soon as reasonably practicable but normally within 14 working days during school holidays). If possible, a resolution will be reached at this stage.*

It may be necessary for the Principal to carry out further investigations.

The Principal will keep written records of all meetings and interviews held in relation to the complaint.

Once the Principal is satisfied that, as 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 (together with reasons) in writing as soon as reasonably practicable but normally within 20 working days of receipt of the written complaint. Only in exceptional circumstances or with complex cases will this take longer and parents will be informed of the likely timeframe for a response.

If the complainant is still not satisfied with the decision, they should proceed to Stage 3 of this Procedure within 30 working days of the Principal's decision.

Stage 3 – Panel Hearing

If the complainant seeks to invoke Stage 3 (following a failure to reach an earlier resolution), they must write to the Director of Education, who will invoke a meeting of the Ascot Governing Body Complaints Panel. Parents should give full details of the complaint and enclose all relevant supporting documents. The matter will then be referred to the Complaints and Appeals Panel for consideration.

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Each of the Panel members shall be appointed by the Director of Education, and 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 School.

The Director of Education, on behalf of the panel, will acknowledge the complaint and schedule a hearing to take place, normally within 14 working days (or as soon as reasonably practicable but normally within 14 working days during school holidays) of receipt of the parent's request for a panel hearing.

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 2 working days prior to the hearing.

The parents may be accompanied to the hearing if they wish. This may be a relative or friend. This representative is for support only and may not address the panel unless the representative is there only as a translator making no personal contributions of any kind to the meeting. Parents should advise the Director of Education if they will be accompanied to the meeting. Legal representation will not normally be appropriate.

If possible, the Panel will resolve the parents' complaint or appeal without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out and by whom.

After due consideration of all facts they consider relevant, the Panel will reach a decision on the balance of probabilities as to whether or not the complaint is substantiated (in whole or in part). If the complaint is not substantiated, the Panel will dismiss the complaint. If the complaint is substantiated (in whole or in part), the Panel will uphold the complaint (in whole or in part) and may make recommendations if they deem it appropriate. The decision of the Panel will be final.

The Panel will, within 5 working days of the hearing, write and/or send electronic mail to all participants informing them of the decision and the reasons for it. The Panel's findings and, if any, recommendations will be sent in writing to the Ascot Governing Body and where relevant, the person complained of. The Panel's findings and recommendations will also be available for inspection on the School premises by the Head and the Trustees of the Licensed Trade Charity.*

Complaints related to fulfilment of EYFS provision

In the case of a written complaint brought about the fulfilment of the EYFS requirements, the School shall complete its investigations in a shorter timeframe and notify the complainant of the outcome of the investigation within 28 days of having received the initial written complaint.

In the event of a complaint being received during a school holiday period, it will be dealt with as soon as reasonably practicable and normally within the timescales set out throughout this policy. Where there are delays in collecting information (for example, caused by staff absence), parents will be informed of the reasons why and a likely time frame for a response.

Safeguarding

Where a complaint involves issues relating to safeguarding of a child the school will consult the DSL to ensure that this is at the forefront of any decision making and to ensure that the child's best interests are taken into account. Referrals will be made where necessary following the School's Safeguarding and Child Protection Policy 2023-2024.

Retention of documentation

The School keeps a written record of all complaints, and actions taken as a result of those complaints, considered at stage 2 and stage 3 regardless of whether they are upheld. Parents can be assured that correspondence, statements and records relating to individual complaints are to be kept confidential and subject to the Data Protection Act 1998 except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access to them.

New for September 2020, the DfE as regulator has advised that complaints which do not have safeguarding implications should be retained for a minimum of 7 years. Where there is a safeguarding angle, records concerning allegations of abuse must be preserved for the term of the Independent inquiry into Child Sexual Abuse and at least until the accused has reached normal pension age or for 10 years from the date of the allegation if it is longer.

Persistent Correspondence

Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, this can be regarded as vexatious and outside the scope of the policy.

Malicious complaints

Complaints received from a pupil, parent or member of staff, that after investigation prove to be malicious against a pupil, parent or member of staff will evoke the Exclusions Policy and Procedure which will result in a pupil place being withdrawn from LVS Ascot. This may also lead to legal action on the part of the pupil, parent or member of staff.

Systemic issues

Panel members and those inspecting the complaints process, should consider through professional conversations, whether schools look beyond the immediate complaint to ensure that it does not represent a deeper problem that needs to be remediated.

Higher Level Intervention

If parents are dissatisfied with the procedure at any point of the investigation or feel that intervention at a higher level is appropriate, parents may lodge a complaint with the following:

EYFS provision: Ofsted - enquiries@ofsted.gov.uk, telephone: 0300 1234 234.

Junior or Senior School provision: ISI, CAP House, 9-12 Long Lane, London EC1A 9HA, concerns@isi.net, telephone: 0207 600 0100.

Bias in the proceeding

Complainants are entitled to a fair meeting or review. Those who have a conflict of interest should not take part in the complaints process. If there is any reasonable doubt as to a person's ability to act impartially, they should withdraw from considering the complaint.

When making decisions, the people involved must not act in a way that is biased. The appearance of bias may be sufficient to taint a decision even if there is no actual bias. It is considered that governors with no prior exposure to the complaint are suitably impartial, unless the complainant provides evidence to the contrary.

Support during proceedings

We understand that the process of making a complaint can cause distress especially when there are complex issues. Nevertheless, we always welcome feedback and will do our best to put things right. To help parents through the process and to maintain clear communication, we are happy to provide unbiased support at governor level if required.

Complaints received by LVS

Stage 2 complaints 2022-2023– 14

Stage 3 complaints 2022-2023 - 2

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Addendum

LVS Ascot Complaints Protocol and Procedure for Stage 3 Complaints

1. Introduction

This protocol outlines the procedures to be followed for Stage 3 complaints as defined in the Complaints Policy for LVS Ascot. Stage 3 is the final stage of the complaints process, to be pursued if the complainant remains dissatisfied with the outcome of their Stage 2 complaint. At this stage, complaints will be reviewed by a panel convened by the Director of Education and Operations, Ian Mullins.

2. Escalation Process

Should a complainant wish to escalate their complaint to Stage 3, they must do so by submitting a written appeal to Ian Mullins (Chair of Stage 3 Complaints) at i.mullins@ltcharity.org.uk who will then arrange for a panel of at least three individuals to be established. One member of the panel will be wholly independent from the school. The role of Chair may be delegated to another member of the Executive/Trustee of the Licensed Trade Charity in his absence.

3. Initial Submission

The complainant's written appeal to Ian Mullins should include the following information:

- A reference to the school's Complaints Policy and Procedure.
- An outline of the issues surrounding the Stage 2 complaint.
- An explanation of why they are appealing or dissatisfied with the Principal's decision.
- The complainant should understand that only matters raised in this letter will be explored during the panel hearing.

4. Document Disclosure

Within three working days of the hearing, the panel will provide complainants and panel members with redacted copies of relevant documents related to the matters raised during Stage 3.

5. Attendance at the Hearing

Complainants may attend the hearing and are allowed to be accompanied by a family member or friend for support. This person's name and relationship to the complainant should be submitted to the Chair within 3 working days of the hearing. However, this accompanying person must not contribute to the hearing in any way. Legal representation is not permitted at this stage. All parties involved in the Stage 3 hearing must acknowledge that it is private and confidential, and no recordings of the hearing are allowed.

6. Conduct and Behaviour

All attendees at the hearing are reminded to maintain respectful behaviour throughout the proceedings. Disruptive or disrespectful behaviour will not be tolerated.

7. Deliberation and Response

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The panel will deliberate on the complaint and provide a response within the timescales identified in the school's Complaints Policy and Procedure.

8. Authority of the Panel Chair

The Chair of the panel has the authority to halt or discontinue the proceedings if they believe that the parameters and expectations outlined in this protocol and procedure are not being met.

9. Conclusion

This Stage 3 Independent School Complaints Protocol and Procedure is designed to ensure a fair and thorough review of complaints that have reached this final stage. The school is committed to addressing complaints in a transparent and unbiased manner, and the decisions of the panel are final. If the Complainant remains unsatisfied by the response, please refer to the Complaints Policy and Procedure for details of further escalation.