

# LVS ASCOT



**LVS Ascot**

A Co-educational Day & Boarding School  
for young people aged 4 - 18

## PUPILS' COMPLAINTS & APPEALS POLICY/PROCEDURE

**Whole school including the EYFS**

<b>Relevant Statutory Regulations:</b>	ISSR Part 7 Para 33. NMS Part F and NMS 4
<b>Nominated member of SMT responsible for the policy:</b>	Christine Cunniffe
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### CONTENTS

Introduction .....	2
Stage 1 – Informal Resolution .....	2
Stage 2 – Formal Resolution - Preliminary stage .....	3
Stage 3 – Panel Hearing .....	3
Complaints related to fulfilment of EYFS provision .....	5
Higher level intervention .....	5
Bias in the proceedings .....	6
Support in the proceedings.....	6
Complaints received by LVS Ascot .....	6

# **LVS ASCOT**

## **INTRODUCTION**

LVS Ascot has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if pupils 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 pupils have a complaint or concern, they should normally contact their form tutor initially. In many cases, the matter will be resolved straight away by this means to the pupils' satisfaction. If the Tutor cannot resolve the matter alone, it may be necessary for him/her to consult the Integrated Housemaster/Housemistress (IHM), or Head of Year (HoY) as is appropriate.

Complaints made directly to the IHM/HoY 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 pupil fail to reach a satisfactory resolution, then pupils 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 pupils have a complaint, they should normally contact their class teacher initially. In many cases, the matter will be resolved straight away by this means to the pupils' 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 teacher/Deputy Head and the pupil fail to reach a satisfactory resolution, then pupils 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 pupils should put their complaint in writing to the Principal or Senior Deputy Head of Infant and Junior School (IJS). Pupils 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/Senior Deputy 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 pupils 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 pupils 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 pupils 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. Pupils 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.

## **LVS ASCOT**

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 pupils'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 pupils may be accompanied to the hearing if they wish. This may be a relative or friend. Legal representation will not normally be appropriate.

If possible, the Panel will resolve the pupils' 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), pupils will be informed of the reasons why and a likely time frame for a response.\*

## **LVS ASCOT**

### **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. Pupils 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.

### **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.

### **Persistent Correspondence**

Where repeated attempts are made by a pupil 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 pupils are dissatisfied with the procedure at any point of the investigation or feel that intervention at a higher level is appropriate, pupils may lodge a complaint with the following:

COMPLAINTS POLICY and PROCEDURE - PUPIL

Page 5 of 5

## **LVS ASCOT**

EYFS provision: Ofsted - [enquiries@ofsted.gov.uk](mailto: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](mailto:concerns@isi.net), telephone: 0207 600 0100.

### **BIAS IN THE PROCEEDINGS**

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 pupils through the process and to maintain clear communication, we are happy to provide unbiased support at governor level if required.

### **COMPLAINTS RECEIVED BY LVS ASCOT**

Stage 2 complaints 2022-2023 14

Stage 3 complaints 2022-2023 2