

Complaints, Concerns, Suggestions, Compliments Policy

West Heath School



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Copies of this policy are available on the School Website - <http://www.westheathschool.com/> Staff matters - Policies or as a hard copy on request from the School Office.

In accordance with the Independent School Standards Part 6, the number of complaints under the formal procedure in the last academic year totalled 4.

1. Aims and Rationale

This policy aims to:

Ensure complaints are listened to and responded to appropriately, along with learning from complaints being taken forward. Concerns are dealt with as early as possible.

Compliments are acknowledged, celebrated and strengths identified are built on. Suggestions are taken seriously and where appropriate used to improve our school.

To provide a clear and transparent procedure should a parent or carer want to raise a concern, make a complaint, give a compliment or make a suggestion. This policy also outlines how students can raise concerns and complaints informally.

2. Legislation and Guidance

Useful links:

Residential Special Schools National Minimum Standards, NMS18.

<https://www.gov.uk/government/publications/residential-special-schools-nationalminimum-standards>

The Education (Independent Schools Standards) (England) Regulations 2015

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/389467/Revised_independent_school_standards.pdf

Ofsted: <http://www.ofsted.gov.uk> DfE:

<http://www.education.gov.uk/>

Childrens Act 1989

3. Definitions

Concern – Informal worry, issue or question raised to flag a potential issue or seek clarity.

Complaint – A formal written expression of dissatisfaction that will be investigated and resolved.

3. Introduction

West Heath School is dedicated to fostering an environment in which all voices are actively heard and thoughtfully considered. This policy makes clear how a parent, carer or student can raise a concern, make a complaint, give a compliment or make a suggestion.

West Heath School actively encourages students to participate in sharing ideas, for example, through the Student Council, Boarding Council, Key Working Sessions, Annual Reviews and daily target setting. There may be occasions when a student may wish to make a complaint about their experience, in which case they are encouraged to speak with a member of staff who will try to resolve the situation speedily

Students and parents/carers have the right to expect that we will try to provide the best possible service for them. Despite our best efforts, unforeseen challenges can occasionally arise. We will always try to put things right and yet the procedure described below can be used when necessary.

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint about any provision of facilities or services that we provide.

4. Procedures & Practices

Our procedure is as follows:

The school follows a three-stage approach to resolving complaints.

1. **Problem Solving (informal)**
2. **Formal Complaint**
3. **Appeal to Chair of Trustees**

Complaints and concerns are often due to misunderstandings.

~~A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.~~

~~A complaint may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.~~

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage.

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

We will not normally investigate anonymous complaints. However, the Principal or Chair of Trustees, if appropriate, will determine whether the complaint warrants an investigation.

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against West Heath in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Please note that the school will only investigate complaints received regarding recorded telephone conversations if all the requirements of all the relevant legislation is complied with, in particular, the person recording the call has reasonable grounds for believing that it has the consent of the caller and the recipient of the call.

The main articles of legislation are:

- Regulation of Investigatory Powers Act 2000 ("RIPA")
- Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000 ("LBP Regulations")
- Data Protection Act 1998
- The Employment Practices, Data Protection Code
- Telecommunications (Data Protection and Privacy) Regulations 1999
- Human Rights Act

Commented [ws1]: These definitions are already written above but worded slightly differently.

1. Problem Solving (informal)

Many concerns/complaints can be resolved informally. Please tell someone at the school, this could be the class teacher or Head of Lower/Middle/Upper School, what the problem is and how you think it can be resolved. We will try to find a solution to the problem in a way that is acceptable to all the people involved. We will normally respond to concerns/complaints at an informal problem-solving level within two school-term weeks and request that you notify the school, within two school-term weeks, as to how you wish to proceed. Should the school not receive any further communication then we will assume no further action is required at this stage.

However, if it is not possible to resolve your complaint informally then you may wish to follow the formal complaints procedure.

2. Formal Complaint

You can make a formal complaint in writing which will be investigated, and you will be informed of the outcome. The complaint will be investigated by a senior member of staff and our Resolutions Lead manages the process as specified in this policy.

Direct all complaints to the Resolutions Lead at whs.resolutions@westheathschool.com.

If the complaint relates to the Principal, the Chair of Trustees will deal with this type of complaint assisted by the Resolutions Lead.

Where a complaint regards a Trustee, the same process applies as for the Principal, it will be dealt with by the Chair of Trustees and assisted by the Resolutions Lead.

Where a complaint concerns the Chair of Trustees, the individual should contact the Resolutions Lead. Informal resolution will be sought, but where this fails, the complaint will be taken to a panel and the Deputy Chair of Trustees will mediate any proceedings.

Complaints against the Chair of Trustees, any individual Trustee or the Trustee body, should be sent directly to the Resolutions Lead marked 'Private and Confidential'.

With the exception of the Principal, Trustees and Chair of Trustees, all formal complaints will be managed by the Resolutions Lead. All correspondence and communication will be directed to the Resolutions Lead who will manage the school's investigation into the complaint as agreed by the Principal.

The Resolutions Lead will respond to the complainant on the school's behalf as directed by the Chair of Trustees. Only under exceptional circumstances will communication with the complainant be entered into by any other member of West Heath Staff.

We will normally respond to your formal complaint within two school-term weeks, although this can / may take longer depending on the complexity of the complaint and investigation required. If we are unable to meet this deadline, we will provide the complainant with an update and revised response date.

You will receive a response in writing following the investigation with our findings and recommendations. We will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome.

3. Appeal to Chair of Trustees

If a parent or carer is not satisfied with the response to a written complaint, they may appeal to the Chair of Trustees, via the Resolutions Lead, who will arrange for a panel to hear and consider the outcome of the complaint. This panel would normally be held within five school-term weeks of the complainant notifying the school they wish to proceed to this level. The Resolutions Lead will manage this process.

The panel will comprise of at least three people, at least one of whom will be independent of the management and running of the school. At least one member will be a Trustee of the School. Parents or carers may attend the panel hearing and may be accompanied if they so wish. The panel's findings and recommendations from the panel hearing will be distributed by the Resolutions Lead to all parties having a direct interest in the issue within two school-term weeks.

A request to escalate to Stage 3 must be made to the Resolutions Lead within 10 school days of receipt of the Stage 2 response.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The committee will not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

During Stage 3 of the complaint investigation, the panel members will need to speak with the complainant either face to face, virtually or on the phone.

The complainant can escalate their complaint to the Department for Education after they have completed all stages of the complaint procedure should they either remain dissatisfied, believe the school did not handle their complaint in accordance with the published complaints procedure or acted unlawfully or unreasonably in the exercise of their duties under education law.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

5. Exceptional Circumstances

Should there be, in rare circumstances, unreasonably persistent or vexatious complaints or complaint behaviour, the school will deviate from the complaint process described above. The school is committed to ensuring complaints are taken seriously and to working in partnership with parents and carers. However, it is essential the resources of the school and Charity are focused on our students. In this context a decision may need to be taken in the best interests of our students not to follow our usual process. In such circumstances, the decision to deviate from our usual complaints process can only be made by the Full Board of Trustees following the Principal presenting a case for consideration. Decisions made by the Full Board of Trustees will be minuted and communicated to the relevant complainant via the Tribunal and Projects Resolutions Lead.

6. External Procedure

Our complaints procedure does not preclude students or parents/carers going to the statutory agencies such as the Local Authority, or Ofsted in order to pursue their complaint. See contact details for Ofsted below.

7. Record Keeping, Compliments and Suggestions

Records of complaints

A record will be kept of all written formal complaints, including at what stage they were resolved and action taken by us as a result of those complaints regardless of whether they were upheld. Correspondence, statements and records relating to individual concerns and complaints will be kept confidential except where:

- Access is requested by the Secretary of State for Education
- Disclosure is required in the course of a school inspection
- An individual has a legal right to access their own personal data contained within such documentation
- Under other legal authority

We will make the findings and recommendations of the panel available for inspection by the Trustees and the Senior Management Team.

Compliments and Suggestions

Students, parents, carers and stakeholders are very welcome to make a compliment or a suggestion. Compliments and suggestions will be filed in the Compliments file and taken to the Student Services Committee, along with complaints and concerns.

Grievance Procedure for Staff

Where a complaint relates to matters associated with an individual's employment, staff can follow the procedure outlined within the staff Complaint and Grievance Policy.

8. Links with other Policies

- Anti-Bullying Policy
- Exclusion of Pupils Policy Online Policy
- Positive Handling Policy
- Whistleblowing

9. Persons with Particular Responsibilities

Principal
Resolutions Lead (whs.resolutions@westheathschool.com)
Head of Care and Safeguarding

Trustees *(The Trustees are made aware of all Complaints at the termly Student Services Committee Meeting).*