

COMPLAINTS POLICY

1. INTRODUCTION

- 1.1 Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Tudor Hall School is here for your child, and you can be assured that your child will not be penalised for a complaint that you or your child raises in good faith.

1.2 Circulation

- 1.2.1 This policy is addressed to current parent/s or legal guardian/s or educational guardian/s of pupils at the school and may, at the school's discretion, include parents whose child has recently left the school but only if the complaint was initially raised whilst the said pupil was still registered as a pupil at the school.

- 1.2.2 The only exception to this is if the complaint is a review of a decision taken by the Head to exclude or require the removal of a pupil under clause 7 of the school's *'Terms and Conditions of Contract'* in which case such a review must be requested by no later than five (5) working days from the date of the decision to exclude or require the removal of a pupil.

- 1.2.3 The policy is published on the school's website and is made available, upon request to the School Office, to the parents, pupils and staff at the school.

1.3 Policy Status

- 1.2.4 This Policy has been approved by the Governing Body of the school and provides guidelines for handling complaints. It takes account of paragraph 33 of schedule I to the *'Education (Independent School Standards) Regulations' 2014* (SI 2014/3283), and the *'Independent School Standards guidance for independent schools' 2019*.

- 1.2.5 The policy applies to all sections of the school. The procedures set out below may be adapted as appropriate to meet the policy aims and circumstances of each case. Certain parts of the procedures can only be carried out during term time.

- 1.4 **Policy Aim** - The aim of this policy is to ensure that a concern or complaint is managed sympathetically, efficiently, at the appropriate level and resolved as soon as possible. The policy is designed to promote consistency in the handling of complaints and, where appropriate, to allow recommendations to be made in the light of them.

- 1.5 **Policy Statement** - The school wishes to know as soon as possible if there is any cause for dissatisfaction.

- 1.6 The school recognises that a difficulty which is not resolved quickly and fairly could become a cause of resentment, which would be damaging to relationships and also to the school culture. Parents should never feel, or be made to feel, that a complaint will be taken amiss or will adversely affect a pupil or his/her opportunities at the school. The policy however distinguishes between a concern or difficulty which can be resolved informally at Stage 1 and a formal complaint at Stage 2, which will usually require investigation prior to determination.

1.7 Definitions

Parent/s

- 1.2.6 Includes current parent or legal guardian or education guardian of the pupil at the School about whom the complaint relates and may, at the school's

discretion, include a parent whose child has recently left the School but only if the complaint was initially raised whilst the said pupil was still registered as a pupil at the school, unless in exceptional circumstances.

Concern

- 1.2.7 Is a query or anxiety or dissatisfaction with an aspect of the school or its processes and procedures which is raised or otherwise brought to the attention of the school by phone, email or verbally in person and which is resolved informally either orally or in writing. This is considered an informal complaint.

Independent Member

- 1.2.8 Is someone who is not involved in the running, management or governance of the school.

Formal Complaint

- 1.2.9 Is a concern that is not resolved informally but is made formally in writing and considered under the formal procedure as described in this policy or is raised directly to a member of the Senior Leadership Team, or to a Housemaster or Housemistress, or to a Head of Department and which requires investigation, or other significant input, by a member of the Senior Leadership Team. A record will be made of such formal complaints.

Working Days

- 1.2.10 Monday to Friday when the school is open during term time excluding Bank Holidays and half term. The dates of terms are published on the school's website.

2. MANAGEMENT AND TIMEFRAME FOR DEALING WITH COMPLAINTS

- 2.1 **Appointed Person** - The Head will appoint a senior member of staff, normally a Deputy Head ('Appointed Person') to be responsible for investigating a complaint.
- 2.2 The Appointed Person will be in a more senior position in the school than the member of staff previously involved in the complaint. The Appointed Person will be the first point of contact while the matter remains unresolved and will keep records.
- 2.3 The Appointed Person will be responsible for:
- 2.1.1 coordinating the complaints procedures in the school;
 - 2.1.2 ensuring that all teaching, support and medical staff are made aware of the procedures for reporting concern or complaint;
 - 2.1.3 recording complaints and ensuring the records are kept confidential; and
 - 2.1.4 reporting regularly to the Head with respect to complaints
- 2.4 The Appointed Person can be contacted by telephone and email, details of which are provided in the Parents' Handbook.
- 2.5 All complaints will be handled within clear and reasonable timeframes. They will be acknowledged within five (5) working days if received during term time and as soon as practicable during holiday periods. It is in everyone's interest to resolve a complaint as speedily as possible: the school's target is to complete the first two stages of the procedure within twenty-five (25) working days if the complaint is lodged during term-time and as soon as practicable during holiday periods.

- 2.6 During the school holidays it may take longer to resolve a complaint although the School will do what is reasonably practicable to avoid undue delay. It may also take longer to resolve the complaint during periods of significant disruption to school life or as a consequence of unavoidable staff absence, however deviation from the normal timescale for resolving a complaint during term time will only occur on an exceptional basis, and the School will take all reasonable steps to limit any such delay.
- 2.7 Where possible, Stage 3, the Appeal Panel Hearing, will be completed within a further twenty-five (25) working days, if the appeal is lodged during term-time and as soon as practicable during holiday periods.

3. RECORDING COMPLAINTS

- 3.1 Following resolution of a complaint, the school will keep a written record of whether complaints are resolved at the formal stage or proceed to a panel hearing and any action taken by the school as a result of the complaint (regardless of whether the complaint is upheld). The school processes data in accordance with its Privacy Notice. When dealing with complaints the school (including any Panel member appointed under the Stage 3 process) may process a range of information, which is likely to include 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)
 - Notes of the hearing; and
 - The Panel's written decision.
- 3.2 These records may include 'special category personal data' (as detailed in the school's Privacy Notice) but potentially include sensitive data such as information relating to physical or mental health) where this is necessarily owing to the nature of the complaint. This data will be processed in accordance with the School's Data Protection policy.
- 3.3 Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent where the Secretary of State or a body conducting an inspection under section 109 of the *'Education and Skills Act' 2008* requests access to them.
- 3.4 Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, this may be regarded by the school as vexatious and outside the scope of this procedure.

4. STAGE 1 - INFORMAL RESOLUTION

- 4.1 It is hoped that most complaints and concerns will be resolved quickly and informally. See **Appendix 1** *'How to Raise a Concern or Complaint Flowchart.'*
- 4.2 If parents have a complaint, they should contact the pupil's class teacher/housemistress/group tutor. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Class Teacher/Housemistress/Housemaster/Group Tutor cannot resolve the matter alone it may be necessary for her/him to consult a head of department/one of the Deputy Heads/Head.

- 4.3 Complaints made directly to a Head of Department/a Deputy Head/Head will usually be referred to the relevant Class Teacher/Housemistress/Housemaster/Group Tutor unless the Head of Department/a Deputy Head/Head deems it appropriate for him/her to deal with the matter personally.
- 4.4 The recipient of the complaint will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved within fifteen (15) working days, or in the event that the Class Teacher/Form Teacher/Housemistress/Housemaster/Group Tutor 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.
- 4.5 On occasion, complaints may be dealt with by members of the Senior Leadership Team (including the Head) but still be resolved informally and successfully.

5. STAGE 2 - FORMAL RESOLUTION

- 5.1 If the complaint cannot be resolved on an informal basis as described in Stage 1, or if it has not been resolved within fifteen (15) working days, then the parents should put their complaint in writing to the Head. The Head will decide, after considering the complaint, the appropriate course of action to take. This must be done even where the informal process has been conducted with the Head. If parents require assistance with their request, for example, because of a disability, the school will be happy to make appropriate arrangements.
- 5.2 In most cases, the Head will meet/speak to the parents concerned within five (5) working days of receiving the complaint to discuss the matter. If possible, a resolution will be reached at this stage.
- 5.3 It may be necessary for the Head to carry out further investigations or ask a senior member of staff to act as Investigator. The Investigator may ask for additional information from you and may wish to speak to you personally and to others who may have knowledge of the circumstances including, if appropriate, your child.
- 5.4 Written records of all meetings and interviews held in relation to the complaint will be kept.
- 5.5 Once the Head is satisfied that, so 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 in writing. The Head will also give reasons for this decision. The Head's aim will be to inform any complainant of the outcome of an investigation and the resolution of the complaint within twenty-eight (28) working days from the first receipt of the complaint.
- 5.6 Complaints about the Head of Tudor Hall will always be dealt with under Stage 2 Formal Resolution process.
- 5.7 The Chair of Governors, or their nominee, will call for a full report from the Head and for all the relevant documents, and may also call for a briefing from members of staff, and will in most cases, speak to or meet with the parents to discuss the matter further.
- 5.8 Once the Chair, or their nominee, is satisfied that, so far as is practicable, all the relevant facts have been established, the parents will be informed of the decision in writing. The Chair, or their nominee, will give reasons for his/her decision. The Chair of Governors will normally delegate the investigation and formal hearing to other members of the Board and remain available to chair the Complaints Panel.
- 5.9 If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

6. STAGE 3 - PANEL HEARING

- 6.1 **Introduction and Scope of the Hearing** - A Complaints Panel (the Panel) hearing is a review of the actions taken at Stage 2 of this Procedure.
- 6.2 The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure. The Panel will not seek to substitute its own judgment for that of the Head where the Head's decision falls within the bounds of what a reasonable Head, acting proportionately, might have decided given all the facts.
- 6.3 **Notification Procedure**
- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they should write to the Chair of the Governors, within five (5) working days of receipt of the decision at Stage 2, requesting a Panel hearing.
- 6.4 Parents must state in their letter full details of the complaint, the outcome sought, the grounds on which they wish to appeal against the decision and enclose all relevant documents and full contact details.
- 6.5 Parents should also include a list of the documents which they believe to be in the school's possession and wish the Panel to see. If parents require assistance with their request, for example, because of a disability, the school will be happy to make appropriate arrangements.
- 6.6 The parents' letter will normally be acknowledged by telephone, email or letter within five (5) working days, indicating the action that is being taken and the likely time scale.
- 6.7 The Bursar and Clerk to the Governors, who has been appointed by the Governors to call hearings of the Complaints Panel, will then refer the appeal to the Complaints Panel for consideration.
- 6.5.1 The Panel will consist of three persons not directly involved in the matters detailed in the complaint and one of whom shall be independent of the management and running of the school.
- 6.5.2 The Complaints Panel will appoint one of the Panel members to act as the Chair of the Panel.
- 6.5.3 The Bursar and Clerk to the Governors, on behalf of the Panel, will then acknowledge the complaint within five (5) working days and schedule a hearing to take place as soon as practicable within fifteen (15) working days.
- 6.8 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, or further investigation be carried out. Copies of such particulars shall be supplied to all parties not later than five (5) working days prior to the hearing.
- 6.9 **Attendance** - The parents will be invited to attend the hearing and may be accompanied by one other person such as a relative, teacher, or friend. Legal representation is not necessary or normally appropriate but should parents wish to be accompanied by a legally qualified person, acting in their professional capacity, the school must be notified at least seven working days before the hearing.
- 6.10 The Head shall also be entitled to be accompanied to the hearing by one other person if they wish.
- 6.11 In exceptional circumstances and only if agreed by all parties, your child who is the subject of the hearing, aged 13 and above, may be allowed to attend part or all of the

hearing if the Chair of the Panel considers it would be in the interests of fairness to do so. Copies of additional documents you wish the Panel to consider should be sent to the Panel Chair at least three clear working days prior to the hearing. If you choose not to attend, the Panel may hear your complaint and may reach a finding and conclude the matter in your absence.

- 6.12 The role of the Panel is to establish the facts surrounding the complaint by considering:
- the documents provided by both parties,
 - any representations made by you, the Head or other members of staff.

6.13 **Powers of the Panel**

It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, pupils, or parents. The Panel may make findings and recommendations on these or any other issues to the Head or to the full body of School Governors as appropriate.

- 6.14 The remit of the Panel shall be at the discretion of the Chair of Governors and the manner in which the hearing is conducted shall be at the discretion of the Panel.

- 6.15 If possible, the Panel will resolve the parents' complaint without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.

- 6.16 **Decision** - After due consideration of the matters discussed at the hearing, the Panel shall reach a decision unless there is an agreed position.

- 6.17 If, after establishing the facts, the Panel members consider that the complaint is made out, they will uphold the complaint. If they consider that the complaint is not made out, they will dismiss the complaint. They will make these decisions on the balance of probabilities. The Panel's decision, findings and any recommendations may be notified orally at the hearing or subsequently and shall be confirmed in writing by electronic mail where appropriate within ten (10) working days.

- 6.18 If parents do not wish to receive the decision by electronic mail, a copy will be given or posted. The decisions, findings and any recommendations will be made available for inspection on the School premises by the Governing Body and the Head. Reasons for the decision will be given. The decision may include recommendations and will be sent to the parents, the Chair of Governors, the Head and, where relevant, any person about whom the complaint has been made.

No further appeal is available after the decision has been made by the Panel.

6.19 **Private Proceeding**

A hearing before the Panel is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be made available directly or indirectly to the press or other media.

6.20 **Confidentiality**

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 108 or 109 of the *'Education and Skills Act' 2008* requests access to them.

7. BOARDING PUPILS

- 7.1 As there are boarding pupils at Tudor Hall School, the requirements under Standard 18 of the '*National Minimum Boarding Standards*' (2015) apply to this policy. In accordance with this Standard a concern or complaint by parents of boarding pupils will be dealt with in accordance with this Policy.

8. COMPLAINTS TO OFSTED AND THE INDEPENDENT SCHOOLS INSPECTORATE (ISI)

- 8.1 Parents may also complain about the fulfilment of the EYFS requirements at Carrdus School directly to Ofsted and/or to the Independent Schools' Inspectorate (ISI):
- 8.2 The number for the Ofsted helpline is 0300 1234 234 or email enquiries@ofsted.gov.uk. Ofsted have produced a leaflet, [Concerns and complaints about childminders and childcare providers](#), that gives information about how to raise concerns about schools; how to raise concerns with Ofsted; what Ofsted can and will do when they receive complaints; and Ofsted's enforcement and other powers.
- 8.3 ISI may be contacted on 0207 600 0100, or by email at concerns@isi.net or to ISI, Cap House, 9-12 Long Lane, London EC1A 9HA. Concerns will be recorded and may be copied to the Department for Education (DfE). However, ISI will not investigate disputes about fees or specific complaints about pupils no longer at the school.

Number of complaints registered under the formal procedure during the preceding school year 2023/24 were: Tudor Hall 9, Carrdus 2.

Approved by Finance & Resources Committee: November 2024
Re-written by the Headmistress of Tudor Hall: November 2024
Approved by Education & Welfare Committee: May 2024
Approved by Finance & Resources Committee: May 2022
Reviewed by the Bursar: May 2022
Approved by Finance & Resources Committee: March 2021
Reviewed by Bursar: March 2021

STAGE 1



STAGE 2



STAGE 3

