



# SARUM HALL SCHOOL

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## COMPLAINTS POLICY

**Date:** September 2023  
**Next Review Due:** September 2024  
**Reviewed by:** Karen Coles

## **INTRODUCTION**

The whole School, including the Early Years Foundation Stage (EYFS) has long prided 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 School in accordance with this Complaints Policy and Procedures (referred to hereafter as the 'Complaints Policy'). The School will normally adopt the Complaints Policy which applies to all parents of pupils currently at the School, including those in EYFS.

Sarum Hall School makes its Complaints Policy available to all parents of pupils and of prospective pupils on the School's website and in the School office during the school day, and Sarum Hall School will ensure that parents of pupils and of prospective pupils who request it are made aware that this document is published or available and of the form in which it is published or available, and of the number of complaints registered under the formal procedure during the preceding school year.

In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, Sarum Hall School will make available to parents of pupils and of prospective pupils and provide, on request, to Ofsted, the Department for Education (DfE) or the Independent Schools Inspectorate (ISI), details of this Complaints Policy and the number of complaints registered under the formal procedure during the preceding school year.

Although this Complaints Policy is made available to parents of prospective pupils, it is not available for use by them; it may only be used by parents of current pupils and does not apply to the older daughter of current parents who is no longer at the School.

Complaints by parents of former pupils will be dealt with under this Complaints Policy only if the complaint was initially raised when the pupil to which the complaint relates was still registered as a pupil at the School. 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 no later than five working days from the date of the decision to exclude or require the removal of a pupil.

"Parent(s)" means the holder(s) of parental responsibility for a current pupil about whom the complaint relates.

Please note that, for the purposes of this Complaints Policy, working days refers to weekdays (Monday to Friday) during term time, excluding bank holidays. This means that during 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 a 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 be permitted on an exceptional basis, and the School will take all reasonable steps to limit any such delay. When communicating with a complainant, school email addresses only should be used.

## **WHAT CONSTITUTES A COMPLAINT?**

A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the School 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 School is within the scope of this Complaints Policy. A complaint is likely to arise if a parent believes that the School has done something wrong, failed to do something that it should have done or has acted unfairly.

Parents can be assured that all complaints received in writing will be treated seriously and confidentially. The 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.

Where a breakdown of trust has occurred between a parent and the Head or a member of staff, the staff member should advise the Head and the Head should inform the Chair of Governors. The Chair will then agree an appropriate approach and decide whether to advise others on the Governing Body, provided this does not compromise any complaints procedure that may still be initiated.

## **THE THREE-STAGE COMPLAINTS PROCEDURE**

### **STAGE 1 – INFORMAL RESOLUTION**

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

If parents have a complaint they should normally contact the Head in writing. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction.

Complaints made directly to the Head will usually be referred to the relevant Form teacher unless the Head deems it appropriate for her to deal with the matter personally.

There will be a written record of all complaints and the date on which they were received. This is kept electronically in the form of a 'Complaints Log'. Should the matter not be resolved within five working days or in the event that the School and the parents fail to reach a satisfactory resolution then parents will be advised to proceed with their complaint to Stage 2 (see below) within seven working days or the School will deem the matter closed.

If, however, the complaint is against the Head, parents should make their complaint directly to the Chair of the Governors who can be contacted via the Bursar and Clerk to the Governors (herein after referred to as the 'Clerk to the Governors').

### **STAGE 2 – FORMAL RESOLUTION**

If the complaint cannot be resolved on an informal basis, 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.

In most cases, the Head will meet the parents concerned, normally within five working days of receiving the written complaint, to discuss the matter. If possible, a resolution will be reached at this stage. There may be circumstances that delay this process, for example school holidays.

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

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

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 her decision. In most cases, the Head will make her decision and provide the parents with reasons within fifteen working days of the complaint being put in writing.

If the complaint is against the Head, the complaint should be made to the Chair of Governors. The Chair of Governors or their nominee will call for a full report from the Head and for all the relevant documents. The Chair of Governors or their nominee 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. Where appropriate, the Chair may seek the assistance of specialist legal or other experts or from other governors although the Chair will remain in charge of the investigation. Once the Chair of Governors or their nominee is satisfied that, so far as is practicable, all of the relevant facts have been established, the parents will be informed of the decision in writing. The Chair of Governors or their nominee will give reasons for his/her decision.

If parents are still not satisfied with the decision, they should proceed to Stage 3 of this three-stage complaint procedure.

### **STAGE 3 – PANEL HEARING**

Should the Parents wish to invoke Stage 3 of this procedure, they must write to the Head (or Chair of Governors if the complaint is about the Head) informing the School of their intention to do so within 7 working days of receipt by them of the decision referred to in Stage 2 above.

Within 14 working days of the decision referred to in the previous clause, the Parents must then submit a written request (“the Request”) addressed to the Clerk to the Governors for the complaint to proceed to Stage 3. As part of the Request, the Parents must also submit at the same time:

- i. A full written statement of their claim,
- ii. Details of any witnesses they wish to attend the hearing, and
- iii. Copies of any documents then available on which they wish to rely.

The Clerk to the Governors will write to the Parents (with a copy to the Head, or Chair of Governors if the complaint is about the Head) to acknowledge receipt of the Request.

Following receipt of the Request by the Clerk to the Governors, the procedures set out below will be followed:

- 1) The Clerk to the Governors will convene a Complaints Panel (‘the Panel’) for this purpose in accordance with the following requirements: The Panel shall consist of three people, including not less than one independent member, with the remainder consisting of one or two Governors nominated by the Chair of Governors from among members of the governing body of the School. The independent member(s) of the Panel will be selected along the guidelines issued by the Department of Education. This means suitable people will be those who have held positions of responsibility and who are used to analysing evidence, facts and documents and listening to and putting forward balanced arguments. In this connection, serving or retired professional or business people, civil servants, heads or senior members of staff at other schools and people with a legal background may be considered

suitable. The person chosen must be independent of the management and running of the School, not involved in matters related to the complaint (although may have an area of expertise relating to the principal matter that caused the complaint) and not have had any personal dealings with either the complainant or any member of staff at the School. In convening the Panel, the Clerk to the Governors and the governing body shall be sensitive to issues of race, ethnic origin, gender, sexual orientation and religious affiliation. The members of the governing body nominated to the Panel shall be Governors who have had no prior involvement with the complaint. The Panel shall be chaired by a member of the governing body. The Panel will ensure that minutes are kept of all its proceedings. In the event that a member of the Panel becomes ill, indisposed or otherwise incapable of continuing to serve on the Panel, then the Panel will be entitled to co-opt another member of the governing body or another independent member as may be required.

- 2) The Clerk to the Governors shall submit to members of the Panel and to the Head copies of the Parents' Request and of any supporting documents without delay after receipt. The Head shall be invited by the Clerk to The Governors to submit a written Report to the Panel in response to the Parents' Request. The Head may invite members of staff directly involved in matters raised by the Parents to respond in writing to the complaint set out in the Request.
- 3) If the Parents' Request contains matters which have not been raised previously or which set out a claim that is substantially different from that which was investigated under Stage 1 or Stage 2 of this Complaints Policy, then the Head can request that the Stage 2 procedure be repeated. If such request is made, the Stage 3 procedure will be suspended until the repeated Stage 2 procedure has been concluded. In the event that there is a dispute as to whether the Stage 2 procedure should be repeated, the decision of the Chair of the Panel shall be final.
- 4) As soon as possible after the Request has been received, the Clerk to the Governors will write to inform the Parents, the Head and the members of the Panel of the date, time and place of the Panel Meeting, which should, if practicable, be conducted within 10 working days after the receipt of all documents referred to above.
- 5) Copies of any further documents on which the Parents wish to rely at the Panel Meeting (and which were not provided earlier) must be submitted to the Clerk to the Governors as soon as possible but in any event not later than 5 working days before the Panel meeting.

The following rules shall apply to the Panel Meeting:

1. Both the Parents and the Head have the right to be accompanied at the hearing by one representative, friend or interpreter whose identity has been notified to the Clerk to the Governors not less than 4 working days before the Panel Meeting. All parties shall be informed of such notification. Legal representation will not normally be appropriate.
2. The report of the Head and any supporting documentation shall be submitted to the Clerk to the Governors no later than 5 working days before the Panel Meeting.

3. The Clerk to the Governors shall supply copies of any further documents submitted by the Parents, the Head's report and any supporting documentation to the Panel and to the other party as soon as the same are received by him or her. He or she will also notify the Panel, the Parents and the Head of the identity of everyone attending the Panel Meeting.
4. At the Panel Meeting, the Panel shall be free to question the Parents, the Head and any persons in attendance but may also, at its discretion, request that other persons with relevant knowledge attend as well in order to assist the Panel. (In the event that the complaint involves or relates to a teacher, then the teacher concerned will be kept fully informed of the procedure being adopted in relation to the management of the complaint and will be provided with copies of all the documentation. He or she will also have the right to make representations to the Panel and to be accompanied by a friend or representative.)
5. The Panel shall issue a decision within 5 working days of the Panel Meeting. The decision will then be sent to the Clerk to the Governors who shall send it to the Head, the Parents, the Chair of Governors and, where relevant and at the discretion of the Panel, the person complained of. The decision will either be a final decision or an interim decision and will be expressed as such. The Panel will issue an interim report where it considers that it requires additional documentation or additional evidence from other persons to enable it to reach a final conclusion. The interim report will confirm what more the Panel requires. Any additional documentation requested in the interim report shall be supplied to the Clerk to the Governors within 5 working days after receipt of the interim report by the party called upon to produce additional documentation. Copies will be provided to the Parents and to the Head.
  - 5.1. In the event that the Panel wishes to hear from any other person or persons, it shall say so and arrangements will be made as soon as is practicable. If it is not possible for such persons to attend on the day of the Panel Meeting, the Panel will be re-convened and every effort will be made to ensure minimum delay. The Parents and the Head will have the right to hear the evidence given by such other persons and will be notified by the Clerk to the Governors of when the Panel will re-convene.
  - 5.2. In the event that an interim report has been issued under 5, the Panel will issue its final report within 7 working days after the additional documentation requested has been submitted to it or after any re-convened Panel Meeting.

The decision of the Panel shall be final and will conclude the process under this three-stage complaints procedure and the Complaints Policy.

The Panel hearing will go ahead as planned in the event that the complainants fail to attend.

A written record will be kept of all complaints and the stage at which they are resolved. Parents can be assured that all complaints will be treated seriously and confidentially. A copy of the findings and recommendations will be made available for inspection at the School only by the Governors and the Head. Correspondence, statements and records will be kept confidential except as is required of the

School by paragraph (k) of Schedule 1 of the Education (Independent Schools Standards) (England) Regulations 2014 or where the Secretary of State or a body conducting an inspection under section 162A of the Education Act 2002, as amended, requests access to them or where any other legal obligation prevails.

## **TIMEFRAME FOR DEALING WITH COMPLAINTS**

All complaints will be handled seriously and sensitively. They will be acknowledged within 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 20 working days. The time frame for Stage 3 is outlined above.

## **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 may be regarded by the School as vexatious and outside the scope of this Complaints Policy. Please refer to the School's Policy for Managing Serial and Unreasonable Complaints (Appendix 1).

## **RECORDING COMPLAINTS**

Following resolution of a complaint, the School will keep a written record of all formal complaints, whether they are resolved at the Stage 1 (informal stage), the formal stage (Stage 2) or proceed to a panel hearing (Stage 3) and any action taken by the School as a result of those complaints (regardless of whether the complaint is upheld). All parties who are the subjects of the complaint will be given the opportunity to provide their comments on the final draft of any report prior to it being issued.

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:

- 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 and contact details 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/minutes of the hearing, and
- The Panel's written decision

This may include 'special category personal data' (as further detailed in the School's Privacy Notice and Data Protection Policy, but potentially including, for instance, information relating to physical or

mental health) where this is necessary owing to the nature of the complaint. This data will be processed in accordance with the School's Data Protection Policy.

The School will keep records of formal complaints and Complaints Panel hearings, as required by regulation. It will do so in accordance with its Privacy Notice and Data Protection Policy. Telephone calls to and from any complainant should be kept to a minimum and detailed records should be kept at all stages of the procedure. Where possible the written records of telephone conversations with the complainant should be sent to the Bursar and the Chair of Governors within 24 hours. If this timeframe cannot be met, then a verbal update should be provided to the Chair of Governors within 24 hours with the written record provided as soon as practically possible thereafter.

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

### School Complaints

Number of stage 2 formal complaints received in the academic year 2022-2023 before going to stage 3	0
Number of formal complaints received in the academic year 2022 – 2023 going to stage 3	0

Parents of EYFS children should follow the three stages included in this Complaints Policy. If parents remain dissatisfied and their complaint is about the School's fulfilment of the EYFS requirements, then parents may take their complaint to the ISI or Ofsted.

Ofsted can be contacted on 0300 123 1231 or by email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD

ISI may be contacted on 020 7600 0100 or by email: [concerns@isi.net](mailto:concerns@isi.net)

ISI, CAP House, 9-12 Long Lane, London EC1A 9HA

Sarum Hall School will provide ISI/Ofsted, on request, with a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint. The record of any such complaints will be kept in accordance with its Privacy Notice.

Parents may complain directly to Ofsted or to ISI if they believe the School is not meeting the EYFS requirements. Schools must make available details of how to contact Ofsted and/ or the ISI.



## **APPENDIX I:**

### **POLICY FOR MANAGING SERIAL AND UNREASONABLE COMPLAINTS**

We are committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Sarum Hall School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaint's investigation process
- refuses to accept that certain issues are not within the scope of the complaint's procedure
- insists on the complaint being dealt with in ways which are incompatible with the Complaints Policy or with good practice
- repeatedly introduces trivial, irrelevant or vexatious information which they expect to be taken into account and commented on to an unreasonable timetable
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the ISI/Ofsted
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the Head or Chair of Governors will discuss any complaints with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues, the Head will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Sarum Hall School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months. In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Sarum Hall School.