

# COMPLAINTS POLICY

THIS POLICY ONLY APPLIES TO THE PARENTS OF CURRENT PUPILS

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# COMPLAINTS POLICY

## 1. Introduction

- 1.1. Gayhurst prides itself on the quality of teaching and the pastoral care provided to its pupils. However, if parents do have a complaint about these or any other area, they can expect it to be treated by the school in accordance with this procedure. All complaints will be handled seriously and sensitively.
- 1.2. Gayhurst School will ensure that this document is published on the school website and is available in hard copy from the Head's PA or Bursar.
- 1.3. The policy applies only to parents of current pupils and not to parents of prospective pupils nor pupils who have left the school, unless the complaint was lodged whilst they were still registered at the school and is followed up within 3 months of their departure. The policy does not cover any process involving a child's exclusion from the school.
- 1.4. In accordance with paragraph 32(1)(b) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, Gayhurst School will make details of the complaints procedure available to Complainants. The policy will also be provided on request to the Chief Inspector, the Secretary of State or the Independent Schools Inspectorate (ISI), including the number of complaints registered under the formal procedure during the preceding year.
- 1.5. In relation to the requirements under the statutory framework for the EYFS (Early Years Foundation Stage), Gayhurst School will investigate written complaints relating to the fulfilment of the EYFS requirements. Complainants will be notified of the outcome of the investigation within 28 days of having received the complaint. A written record and outcome of any complaint will be kept and the record of complaints will be made available to ISI/Ofsted on request.
- 1.6. The Head's PA holds the central complaint register detailing the reason for the complaint, outcome, stage of resolution and any subsequent action by the school in response to the complaint.

## 2. What Constitutes a Complaint?

- 2.1. 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 Complainant is unhappy and seeks action by the school. A complaint is likely to arise if a Complainant believes that the school has done something wrong, failed to do something that it should have done or has acted unfairly.
- 2.2. If the complaint is against the Head, Complainants should make their complaint directly to the Chair of Governors, who is contactable at the school address via the Bursar as Clerk to Governors.

### 3. Stage 1: Informal Resolution

- 3.1. It is hoped that most complaints and concerns will be resolved quickly and informally.
- 3.2. In the first instance, Complainants should normally contact their child's Form or Subject Teacher. In many cases, the matter will be resolved straightaway by this means to the Complainants' satisfaction. If the Form or Subject Teacher cannot resolve the matter alone, it may be necessary to consult a Head of Department or a member of the Senior Leadership Team or the Headmaster.
- 3.3. Complaints made directly to a Head of Department or a member of the Senior Leadership Team or the Headmaster will usually be referred back to the relevant Form or Subject Teacher for information and input.
- 3.4. The Form or Subject Teacher (or any staff member) will make a written record of all concerns and complaints and the date on which they were received, a copy of which will automatically go to the Headmaster/Head's PA and any other relevant staff.
- 3.5. Complainants can expect an informal complaint to be resolved normally within 7 working days during term time and as soon as practicable during holidays.
- 3.6. Should the matter not be resolved to the Complainant's satisfaction, then they will be advised to proceed with their complaint in accordance with Stage 2 of this procedure.

### 4. Stage 2: Formal Resolution

- 4.1. If the complaint cannot be resolved on an informal basis, then the Complainant should put their complaint in writing to the Head. The Head will decide, after considering the complaint, the appropriate course of action to take.
- 4.2. In most cases, the Head will meet and speak with the complainant concerned, normally within five working days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- 4.3. It may be necessary for the Head to carry out further investigations. If an investigation is required, it is entirely appropriate that the Head may delegate the investigation to another member of the Senior Leadership Team.
- 4.4. The Head should receive written records of all meetings and interviews held in relation to the complaint if investigated by another member of the SLT and all such documentation will be kept safely.
- 4.5. 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 Complainants will be informed of this in writing normally within 10 working days of the complaint being received. The Head will also give reasons for the decision.
- 4.6. If the complaint is against the Head, the Chair of Governors will call for a full report from the Head and for all the relevant documents. The Chair may also call for a briefing from members of staff, and will in most cases, speak to or meet with the Complainant to discuss the matter further. Once the Chair is satisfied that, so far as is practicable, all of the relevant facts have been established, the

Complainant will be informed of the decision in writing. The Chair will normally give reasons for his/her decision within 10 working days of the complaint being received.

- 4.7. If the Complainant is still not satisfied with the decision they may either seek resolution directly with the Chair of Governors or should proceed to Stage 3 of this procedure for a panel hearing.

## **5. Stage 3: Panel Hearing**

- 5.1. If the Complainant seeks to invoke Stage 3 (following a failure to reach an earlier resolution), they should write to the Clerk to the Governors requesting a Complaints Panel hearing within ten days of the date on the response from the Head, or Chair of Governors if the complaint is against the Head. The letter requesting the panel hearing should set out all the reasons and include copies of all documents to be considered or relied upon at the panel hearing.
- 5.2. The Clerk will liaise with the Chair, or in the case of a complaint against the Head, with a Chair of a sub-committee, to convene a panel of three members who have not been directly involved in the matters detailed in the complaint and who do not know the complainant or the child in question. The panel will consist of two Governors and a third member who is independent of the management and running of the school but who has experience of considering evidence or familiarity with the workings of a school. One member shall serve as panel Chair. Each of the Panel members shall be appointed by the Board of Governors via the Clerk to Governors who will then acknowledge the complaint within ten working days of the date on the correspondence. A hearing will be scheduled to take place as soon as is practicable and with due notice of the time and date of the hearing; this will normally be within fourteen working days of the receipt of the letter requesting a stage 3 hearing. The complainant will receive at least 5 days' notice of the meeting and will also receive details of the panel members at this time. The Clerk will prepare a bundle of documents for transmission to all parties in advance of the hearing and with due time for consideration.
- 5.3. 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 two working days prior to the hearing.
- 5.4. The Complainant may be accompanied to the hearing by one other person. This may be a relative or friend or work colleague. Legal representation will not normally be appropriate and any request for legal involvement will be at the discretion of the School, which will not be unreasonably withheld.
- 5.5. For compliance purposes the panel hearing will proceed unless the complainant indicates they are now satisfied and does not wish to proceed further. A panel hearing, should therefore proceed notwithstanding that a parent may subsequently decide not to attend. If necessary, the panel will consider the complaint in absentia and issue findings on the substance of the complaint, thereby bringing the matter to a conclusion. The need to continue with the process, does not however, prevent Gayhurst from accommodating the complainant's availability for

- dates or considering comments concerning panel composition.
- 5.6. A Stage 3 hearing should be a full-merits hearing of the complaint, not merely a check that process was followed. Clear terms of reference must be provided to assist the panel and provide a clear process for the hearing.
  - 5.7. If possible the Panel will resolve the complaint immediately without the need for further investigation.
  - 5.8. After due consideration of all facts they consider relevant, the Panel must reach a decision within five days of the hearing and may make recommendations. The Panel will write to the Complainant informing them of its findings and recommendations and the reasons, normally within ten working days of their hearing. The decision of the Panel will be final and shall not be subject to any further appeal. The Panel's findings and, if any, recommendations will be provided if relevant to the person who was the subject of the complaint and made available for inspection on the school premises by the Chair and Head.

## 6. Recording Complaints

- 6.1. A written record will be kept of all complaints that are made in writing under the formal part of this procedure, whether they are resolved at the formal stage or proceed to a panel hearing. Any action taken by the school as a result of the complaint (regardless of whether the complaint is upheld) will also be recorded. Each complaint and the subsequent actions will be considered as a point of learning for the School.
- 6.2. Complainants and others can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records relating to individual complaints will be kept confidential except in so far as is required of the school by paragraph 33 of the Education (Independent Schools Standards) Regulations; where disclosure is required by 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 or where any other legal obligation prevails. These records are normally held by the Head's PA. It is expected that Complainants will also keep all matters and outcomes relating to the complaint confidential.
- 6.3. In accordance with data protection principles, details of individual complaints will be kept for as long as is considered to be reasonably necessary in the circumstances - the recommendation for most complaints is 7 years unless there are safeguarding implications when the details must be kept for far longer.
- 6.4. Should parents wish to do so, complaints concerning the fulfilment of the EYFS requirements can also be made to the Independent Schools Inspectorate and/or Ofsted. The contact details for both organisations are below.

ISI (Independent Schools Inspectorate) CAP House, 9-12 Long Lane, London EC1A 9HA  
Telephone 020 7600 0100  
Fax 020 7776 8849 or by email: [concerns@isi.net](mailto:concerns@isi.net)

Ofsted (The Office for Standards in Education) Piccadilly Gate, Store Street,

Manchester M1 2WD

Telephone 0300 1234 234 or by email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

- 6.5.** Persistent communication - where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages will be considered as vexatious and beyond the scope of this policy.
- 6.6.** The number of complaints received in recent years are as follows:
- In the academic year 2021-22, there were 2 complaints.
  - To date, in the academic year 2022-23, there have been 2 formal complaints.