



## Complaints Policy and Procedures

<b>Review cycle:</b>	Every year
<b>Review by:</b>	G (F&GP), G(Board)
<b>Last Governor review:</b>	Spring 2024
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<b>Current version:</b>	3

### **Policies linked to:**

- EYFS General Policy
- Anti-Bullying Policy
- Safeguarding and Child Protection Policy

### **This document also appears on:**

- School Website
- Staff Intranet

*The Beacon School's mission is to inspire your son to achieve his best within a happy, safe and stimulating environment, providing education of the highest quality delivered by caring and dedicated teachers."*

This Policy and Procedure [the Procedure], which applies to all parts of the school including EYFS and Nursery, deals with all parental complaints concerning a pupil's education and welfare. When parents wish to make a complaint, it will be addressed in accordance with this

Procedure. The aim of the school is to give careful consideration to the resolution of complaints fairly and honestly through open dialogue and mutual understanding.

Discussions should be held if this timeframes set out below are considered unreasonable or unattainable by either the School or parent, and in times of epidemic or pandemic timeframe flexibility will be allowed as reasonably required by the School as a consequence of disruption or staff absence. Flexibility should also be allowed for extenuating circumstances which might have impeded the parent from taking action. Where there are exceptional circumstances resulting in a delay to the timescales for a stage of the complaints procedure, the School will notify the parent and inform them of the new timescales as soon as possible.

### **Who can make a complaint?**

This complaints procedure applies to complaints from parents or carers of current pupils and parents or carers of former pupils if the complaint was initially raised when the pupil was registered at the School.

This policy applies to any expression of dissatisfaction however made about actions taken, or a lack of action, by the School when a parent seeks action by the School.

### **How to raise a concern or make a complaint**

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally,, without the need to use the formal stages of the complaints procedure. The School takes concerns seriously and will make every effort to resolve the matter as quickly as possible. A complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Complainants should not approach individual governors to raise complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

Complaints against school staff (except the Headmaster) should be made in the first instance, to the Headmaster via School Office. Please mark them as Private and Confidential.

Complaints that involve or are about the Headmaster should be addressed to Chairman (the Chair of Governors), via School Office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body via School Office. Please mark them as Private and Confidential.

Anonymous complaints will not normally be investigated. However the Headmaster or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

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 the School 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.

For ease of use, please see Appendix 1 which contains the School's formal complaints form.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

### **Timescales**

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.

### **Complaints received outside of term time**

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

### **Scope of this Complaints Procedure**

This procedure covers all complaints a, other than complaints that are dealt with under other statutory procedures, including those listed below.

<b>Exceptions</b>	<b>Who to contact</b>
<ul style="list-style-type: none"><li>Matters likely to require a Child Protection Investigation</li></ul>	Complaints about child protection matters are handled initially under our child protection and safeguarding policy and in accordance with relevant statutory guidance.

<ul style="list-style-type: none"> <li>• Exclusion of children from school*</li> </ul>	<p>This policy does not apply to complaints about expulsion, required removal or suspension (if the suspension is for 11 school days or more or would otherwise prevent the pupil taking a public examination), to which the School's Behaviour Management Policy applies.</p>
<ul style="list-style-type: none"> <li>• Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff, volunteers and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p>
<ul style="list-style-type: none"> <li>• Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal staff grievance procedures.</p>

### **Withdrawal of a Complaint**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

### **Expected standards of behaviour**

While the School will not normally limit the contact complainants have with the School, attention is drawn to the information included in Appendix 2, which has been drawn from the Department for Education's *Best practice advice for school complaints procedures 2021* and the Department for Education guidance *Controlling access to school premises 2018*.

### **Resolving complaints**

At each stage in the procedure, the School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better

- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

The Procedure has three stages:

### **Stage 1 – Informal Resolution**

- If there is a complaint regarding their son's education or welfare, parents should first discuss it with the pupil's class teacher or tutor and this can be raised in person, in writing or by telephone. In many cases the matter will be satisfactorily resolved without delay. If the class teacher or tutor cannot resolve the matter the Head of Section will assume responsibility for the issue. At this stage a written record will be kept of each complaint and the date upon which it is received. A reference to this record will be kept in the Complaints folder on our intranet in the SMT section including details of complainant, date, action taken, staff involved and date of resolution. All additional updates should be stored in the same place.
- If, at this stage, the matter is resolved to the satisfaction of all parties involved a written record should be sent to all involved and a copy should be placed on the child's file.
- Should the matter not be resolved to the pupil's parents' satisfaction within two school working weeks, then parents are advised to move to the next stage of the Procedure.
- If the complaint is about a member of staff, this should be raised to the Headmaster, in writing.
- If the concern/complaint is about The Headmaster, this should be raised to the Chair of Governors, in writing.
- If the complaint is about the Chair of Governors, an individual governor, or the whole governing body, this should be raised to the Clerk to the Governing body in writing.

### **Stage 2 – Formal Resolution**

- Complaints will usually only progress to Stage 2 after first being considered at the informal stage and only then if the parent indicates that they intend to escalate a matter to the formal stage.
- The formal complaint should be in writing addressed to the Headmaster usually within 5 working days from receipt of the response to their complaint.
- The first step of Stage 2 is the formal recording of the complaint in writing. This should be done by completing all sections of the Complaint Form that can be found at the end of this Procedure at Appendix 1. The form may be downloaded, completed as a MS Word document and printed.

- The completed Complaints Form should be given or sent to the Headmaster who will consider it and decide an appropriate course of action to be taken. In most cases, during term time, the Headmaster will meet or speak with the pupil's parents within two working days of receiving the Complaint Form and will discuss the matter and review the way in which it has been handled thus far. If possible, a resolution will be reached during this discussion.
- If the complaint is regarding the Headmaster, the formal complaints form should be sent to the Chairman (Chair of Governors). If the complaint is regarding a member of the Governing Body and/or The Chairman (Chair of Governors) the formal complaints form should be sent to the Clerk to the Governing Body, via the School office (marked private and confidential).
- It may be necessary for the Headmaster to investigate the detail of the complaint more fully within the school or externally and this will normally be completed within two weeks of the meeting with the parent(s). The detail of a complaint about a member of staff may not be shared in its entirety with any member of staff unless, in the Headmaster's opinion, it is necessary for this to be done in order to properly ascertain all the relevant facts of the case.
- The Headmaster will keep a written record of all meetings and interviews held in connection with the complaint and whether it is resolved following a formal procedure, or proceed with a panel hearing. A reference to this record will be kept in the Complaints folder on our intranet in the SMT section including details of complainant, date, action taken, (regardless of whether it is upheld) staff involved and date of resolution.
- Once the Headmaster is satisfied that so far as is possible all of the relevant facts have been established and are accepted, a decision concerning the manner in which the school proposes to resolve the complaint will be sent in writing to the pupil's parents, no later than 28 school days following receipt of the formal complaint form. In times of epidemic or pandemic timeframe flexibility will be allowed as reasonably required by the School as a consequence of disruption or staff absence.
- Reasons for the Headmaster's decision will always be provided.
- If the matter is resolved at this stage a written record must be sent to each party and a copy placed on the child's file. If parents remain dissatisfied with the Headmaster's decision at Stage 2 they should proceed to Stage 3 of the Procedure.
- In cases of written complaints about the fulfilment of EYFS requirements, the complainant must receive the written record advising of the outcome within 28 days.
- In times of epidemic or pandemic timeframe flexibility will be allowed as reasonably required by the School as a consequence of disruption or staff absence.

### **Stage 3 – Chair of Governors Complaints Panel**

If parents remain dissatisfied with the Headmaster's proposed resolution of their complaint contact should be made via email to the Chair of Governors at [chairman@beaconschool.co.uk](mailto:chairman@beaconschool.co.uk)

or alternatively via a letter to the Clerk to the Governing Body, via the School Office (marked private and confidential), usually within 5 working days from receipt of the stage 2 decision. The school Board of Governors has delegated to its Chair (or acting Chair) responsibility for convening a Complaints Panel to which the complaint will then be referred for consideration.

- The Chair of Governors will acknowledge receipt of the complaint and then appoint a Complaints Panel Chair and other people who will jointly comprise the Complaints Panel [the Panel].
- The Chair of Governors will confirm the specific perimeters of the complaint and the outcomes being sought by the parent. This is to avoid any new complaints being raised at this stage that have not already been considered at Stage 1 and 2 of the Procedure.
- The Panel will consist of at least three suitably qualified people including the Panel Chair who will generally be one of the Governors. None of the appointees shall previously have been directly involved with the matters detailed in the complaint. One of the Panel members will always be an independent person who is unconnected with the management or governance of the school. The Clerk to the Governing Body will take minutes at the meeting.
- The Panel will decide upon an appropriate process through which the complaint should be considered and resolved. It will usually involve listening to the complaint during an oral hearing with the pupil's parent(s) at which parents may be assisted by a teacher, relative or friend. Legal representation at any hearing will not normally be appropriate. The hearing will be held in private at the school and the Panel may ask the Headmaster and any relevant members of the school staff to attend in order to assist it with information about the school's position in the matter. The parent, Headmaster and any other member of staff invited by the Panel to attend the meeting will be heard individually by the panel.
- In the case of members of staff being unable to attend the meeting due to timetable constraints, the Panel may accept written statements in their absence.
- The hearing will usually be convened within 14 working days of the date upon which the Panel is appointed or as soon as is practicable in all the circumstances. In times of epidemic or pandemic timeframe flexibility will be allowed as reasonably required by the Panel as a consequence of disruption or member/staff absence. The School's arrangements for the panel hearing will be reasonable in order to facilitate the parents exercising the right of attendance. The Clerk to the Governing Body will arrange a convenient date directly with the parent(s) concerned.
- Once the panel has been convened all relevant documents/paperwork/evidence pertaining to the complaint at Stage 2 will be circulated to the Panel, complainant, Headmaster and Clerk at least 7 working days before the meeting.
- The Panel may require further particulars of the complaint to be provided by parents or by the school in advance of the hearing. Copies of any such new material will be provided to the parent(s), Headmaster, Panel and Clerk at least 7 school working days prior to the hearing wherever possible

- If possible, the complaint will be resolved at or immediately following the hearing without the need for further consideration or investigation. If further investigation and consideration are necessary the Panel will decide how that should be carried out and the pupil's parents will be kept informed of its progress.
- After considering all the facts it considers to be relevant the Panel will reach a decision which, together with any relevant recommendations, it will usually expect to complete within 21 school working days of the hearing and provide in writing to the Chair of Governors. In times of epidemic or pandemic timeframe flexibility will be allowed as reasonably required by the Panel as a consequence of disruption or member/staff absence. The Chair of Governors will then write to the parent(s), the Governors, Headmaster and any relevant member of staff involved, informing them of the Panel's findings of fact, its decision and the reasons for it. The panel's findings must also be available for inspection on the school premises by the Chairman of Governors and the Headteacher.
- In cases of written complaints about the fulfilment of EYFS requirements, the complainant must receive the letter from the Chair of Governors within 28 days. In times of epidemic or pandemic timeframe flexibility will be allowed as reasonably required by the Panel as a consequence of disruption or member/staff absence. A reference to this record will be kept in the Complaints folder on our intranet in the SMT section including details of complainant, date, action taken, staff involved and date of resolution.
- The decision of the Panel will be final. There will be no further opportunity within the School for consideration of the complaint. The completion of Stage 3 represents the conclusion of the School's complaints procedure.

### **Data retention and confidentiality**

All records created in accordance with this policy are managed in accordance with the School's policies that apply to the retention and destruction of records.

Parents may be assured that the findings and decision of the Panel, together with all correspondence, records, statements, documents and other evidence created or collected in connection with their complaint, will subsequently be retained by the school for at least seven years (a period determined by the six-year inspection cycle with allowance for unforeseen circumstances) where the complaint does not have safeguarding implications.

Correspondence, statements and records relating to individual complaints will be kept confidential save where disclosure is required in the course of the school's inspection or requested by the Secretary of State or where any other legal obligation to disclose arises.



The records created in accordance with this policy may contain personal data. The School has a number of privacy notices which explain how it will use personal data about pupils and parents. The privacy notices are published on the School's website.

School staff will ensure that they follow the School's data protection policies and procedures when handling personal data created in connection with this policy. This includes the School's Data Protection Policy and Information and Records Retention Policy.

In accordance with data protection principles, details of individual complaints will be kept only for as long as is considered to be reasonably necessary in the circumstances.

- **Persistent correspondence** – Where a parent repeatedly tries to bring the same complaint after all three stages of review have concluded, the claim may be considered to be vexatious and outside the scope of the policy. See Appendix 2
- **Systemic issues** – In some cases, it will be important to remember to look beyond the complaint itself to ensure that it does not indicate other problems requiring remediation.

### **Record of Formal Complaints**

Information regarding the number of complaints registered under the formal procedure of this policy during the preceding school year is available to parents of pupils and parents of prospective pupils and, on request to the Chief Inspector, the Secretary of State or an independent inspectorate. This School makes this available from the Head's PA by email at [headspa@beaconschool.co.uk](mailto:headspa@beaconschool.co.uk).

### **How to contact Ofsted and/or ISI**

The Beacon School is in membership of IAPS and as such is normally inspected by the Independent Schools Inspectorate (ISI). The schools is required to make available details of how to contact ISI and also Ofsted, if parents believe the school is not meeting the requirements for the EYFS. Contact details are as follows:

#### **Independent Schools Inspectorate, CAP House, 9-12 Long Lane, London EC1A 9HA**

Telephone 020 7600 0100

Email - [concerns@isi.net](mailto:concerns@isi.net)

[www.isi.net/contact](http://www.isi.net/contact)

#### **Office for Standards in Education, Piccadilly Gate, Store Street, Manchester M1 2WD**

Telephone 0300 123 4666

Email - [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

[www.education.gov.uk/contactus](http://www.education.gov.uk/contactus)

## Appendix 1

### Formal Complaint Form

Your Name:	
Pupil's Name:	
Your relationship to the pupil:	
Address:	
Post Code:	
Daytime Telephone Number:	
Evening Telephone Number:	
Please give details of your complaint:	

What action if any have you already taken to try and resolve your complaint (who did you speak to and what was the response)?

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What actions do you feel might resolve the problem at this stage?

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Are you attaching any paperwork? If so please give details.

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Signature:	
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Date:	
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OFFICIAL USE

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Date Acknowledgement Sent:	
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By Whom:	
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Complaint Referred to:	
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Date:	
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## **Appendix 2**

### **Unreasonable Complaints**

1 The Beacon is 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 us. However, we do not expect our staff (including governors) to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

2 We adopt the Department for Education's definition of unreasonable complaints as those made by persons who, because of the frequency or nature of their contact with the school or the Governing Body, hinder our consideration of their or other people's complaints.

3 Unreasonable complaints are taken seriously as they put a strain on valuable and limited resources and hinder the progress of proper investigations. A complaint may be judged to be unreasonable by assessing a number of factors, including those that are outlined below.

4 A complaint may be regarded as unreasonable when the person making the complaint:

4.1 refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;

4.2 refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;

4.3 refuses to accept that certain issues are not within the scope of a complaints procedure;

4.4 insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;

4.5 introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;

4.6 makes unjustified complaints about staff (including governors) who are trying to deal with the issues, and seeks to have them replaced;

4.7 changes the basis of the complaint as the investigation proceeds;

4.8 repeatedly makes the same complaint or a complaint including similar content (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);

4.9 refuses to accept the findings of the investigation into that complaint where our complaint procedure has been fully and properly implemented and completed;

4.10 seeks an unrealistic outcome;

4.11 makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff (including governors) regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

5 A complaint may also be considered unreasonable if the person making the complaint does so either face to-face, by telephone or in writing or electronically:

5.1 maliciously;

5.2 aggressively;

5.3 using threats, intimidation or violence;

5.4 using abusive, offensive or discriminatory language;

5.5 knowing it to be false;

5.6 using falsified information;

5.7 publishing unacceptable information in a variety of media such as in social media websites and newspapers.

6 A complaint may also be considered unreasonable if it is manifestly unjustified, inappropriate, or an improper use of formal procedure. In assessing this, the school shall have regard to all the circumstances of the case and the nature of the complaint itself rather than the nature of the complainant. In assessing all of the circumstances of the case, a school will consider a range of factors including:

6.1 whether a complaint has reasonable foundation;

6.2 the history and context of the complaint (and any evidence where relevant);

6.3 whether the time and cost of investigating the complaint is proportionate to the issue(s) complained of;

6.4 whether an investigation of the complaint is likely to cause a disproportionate or unjustified level of disruption, irritation or distress;

6.5 unexplained delay in raising a complaint or issue;

6.6 if the purpose of the complaint is to obtain an outcome which is unavailable via the complaints procedure, such as a claim for compensation, damages or a refund of fees paid;

6.7 any evidence of a complaint being brought for an improper purpose.

7 Whenever possible, the Headmaster will discuss any concerns with the complainant informally before dismissing a complaint as unreasonable. The Headmaster will normally only do so after consultation with the Chair of Governors. If the complaint is being considered by the Chair or Vice-Chair, s/he will normally only do so after consultation with the Headmaster and such other governors as s/he considers necessary and appropriate.

8 If the behaviour continues, the School will write to the complainant explaining that their behaviour is unreasonable and ask them to change it.

9 For complainants who excessively contact the School causing a significant level of disruption, the School may specify methods of communication and limit number of contacts in a communication plan. This will be reviewed after six months.

10 In response to any serious incident of aggression or violence, the School will immediately inform the police and communicate its actions in writing. This may include barring an individual from the School.