



## Complaints Procedure Policy

*This policy applies to the Prep School and Pre-Prep school, including EYFS*

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|-------------------------------------|-------------------------------------------|-------------------------------|----------------|
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## Contents

|                                                                                       |    |
|---------------------------------------------------------------------------------------|----|
| 1. Statement of Intent.....                                                           | 3  |
| 2. Legal Framework and Other Policies.....                                            | 3  |
| 3. Definitions .....                                                                  | 4  |
| 4. Introduction.....                                                                  | 4  |
| 5. Complaints related to children in the EYFS.....                                    | 5  |
| 5. Stage 1- Informal Resolution .....                                                 | 5  |
| 7. Stage 2 – Formal Complaints.....                                                   | 6  |
| 8. Stage 3 – Formal Complaint Panel Hearing.....                                      | 7  |
| 9. Closure of Complaints.....                                                         | 9  |
| 10. Unreasonable or Vexatious Complaints and Serial and Persistent Complainants ..... | 10 |
| 11. Recording Complaints and use of personal data.....                                | 11 |
| 12. Regulatory Body Contact Details .....                                             | 12 |
| 13. Number of Complaints.....                                                         | 12 |

## **1. Statement of Intent**

- 1.1 Danes Hill School has long prided itself on the quality of the teaching and pastoral care provided to pupils. However, if parents do have a complaint, they expect it to be treated by the School with care and in accordance with this Complaints Policy. The School aims to resolve all complaints at the earliest possible stage and, where possible informally, and is dedicated to continuing to provide the highest quality of education and pastoral care.
- 1.2 Danes Hill School makes its Complaints Procedure available to all parents of pupils on the School's website and in the School office during the School day, and Danes Hill School will ensure that parents of 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, Danes Hill School will also make available, on request, to Ofsted, the Department for Education (DfE) or the Independent Schools Inspectorate (ISI), details of this Complaints Procedure and the number of complaints registered under the formal procedure during the preceding School year.
- 1.3 This policy is created to ensure a clear, impartial and fair complaints investigation process, which respects the confidentiality and rights of the complainants.
- 1.4 The policy outlines the procedure that the complainant and the school will follow. Once a complaint has been made, it can be resolved or withdrawn at any stage.

## **2. Legal Framework and Other Policies**

- 2.1 This policy has due regard to all the relevant legislation and guidance including, but not limited to, the following:
  - Education Act 2002
  - Equality Act 2010
  - The Education (Independent School Standards) Regulations 2014-Part 7, Schedule 1
  - Immigration Act 2016
  - UK General Data Protection Regulation (UK GDPR)
  - Data Protection Act 2018
  - ISI Inspection Handbook (2023)
  - The Statutory Framework for the Early Years Foundation Stage (2023)
- 2.2 This policy operates in conjunction with the following policies:
  - Admissions Policy
  - Safeguarding and Child Protection Policy
  - Behaviour Policy
  - Whistleblowing Policy
  - Overarching Data Protection Policy
  - Staff Code of Conduct

### **3. Definitions**

3.1 For the purpose of this policy, a “complaint” is defined as ‘an expression of dissatisfaction’ towards the actions taken or a perceived lack of action.

3.2 Any complaint or concern will be taken seriously, whether raised formally or informally, and the appropriate procedures will be implemented. The definition of “unreasonable complaints” is outlined in the ‘Managing unreasonable complaints’ section of this policy.

3.3 For the purpose of this policy, “duplicate complaints” are identical complaints received from a complainant’s spouse, partner or child. These complaints will not be addressed again and the individual making the second complaint will be informed that the complaint has been dealt with.

### **4. Introduction**

4.1 This complaints procedure is available on the school’s website and on request, to all parents whose children are currently attending the school.

4.2 The complaints procedure does not apply to prospective pupils, and therefore, it does not cover failure to admit such pupils.

4.3 The procedure only applies in relation to complaints from parents of pupils, i.e. persons for whom education is being provided at the school. The process does not cover complaints from parents of pupils who have left voluntarily or as a result of being excluded (except in cases where the complaints process was started when the pupil was still being educated at the school).

4.4 A written record is kept of all formal complaints including those that are resolved following a formal procedure, or those that proceed to a panel hearing and action taken by the school as a result of these complaints.

4.5 All records of formal complaints will be kept for seven years. Where, however, there are safeguarding implications, the records must be preserved at least until the accused has reached the normal pension age or for 10 years from the allegation, whichever is longer.

4.6 Parents are entitled to know the number of formal complaints made during the previous academic year and the stage of the procedure at which the complaint was resolved.

4.7 All correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access. For Early Years Foundation Stage (EYFS), the record of complaints must be made available to Ofsted and ISI on request.

4.8 There may be other circumstances where disclosure of the substance of a complaint, particular confidential records relating to it, or information that has come to light as part of the procedure (for example, through investigatory steps or a Panel Hearing) is required, for example, where there is a legal, regulatory, safeguarding (e.g. to make a referral to a statutory agency) or data protection obligation.

4.9 The procedure is divided into three stages. The informal stage aims to resolve the concern

through informal contact at the appropriate level in school. Stage two is the first formal stage at which written complaints are considered by the Head. Stage three is the next stage once stage two has been concluded, involving an appeal panel that includes at least one independent member who is not taking part in the management or running of the school. .

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

4.11 If parents have a concern, they should normally contact their child's Form Teacher or subject lead associated with complaint. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Form Teacher cannot resolve the matter alone, it may be necessary for the parent to consult the Head of Year, or Section Head.

## **5. Complaints related to children in the EYFS**

5.1 Parents of EYFS pupils should follow the three stages of this Complaints Procedure. 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.

5.2 Danes Hill 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 and Information and Records Retention Policy.

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

Ofsted

Telephone: 0300 123 1231

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

By post at: Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD

ISI

Telephone: 020 7600 0100

email: [info@isi.net](mailto:info@isi.net) By post at: ISI, CAP House, 9-12 Long Lane, London EC1A 9HA

## **6. Stage 1- Informal Resolution**

6.1 Parents who have any concerns or complaints about their children's experience should, in the first instance, contact the child's form teacher or subject led associated with complaint, either face-to-face, by email, or by telephone.

6.2 Should the matter not be resolved by the Form teacher, the Form teacher will raise this with the Head of Year, who will endeavour to resolve the complaint with the parent(s) or guardian. They may seek support from the Head of Section, or relevant Deputy Head, if needed.

6.3 If relevant to the complaint, all staff will follow the Behaviour policy, meaning that if the complaint relates to behaviour that warrants it in line with the Behaviour policy, a

complaint may be taken straight to the Head of Section or Deputy Head Pastoral.

- 6.4 We will endeavour to acknowledge such emails, letters or telephone calls within two (2) working days of their receipt and to inform parents of how we intend to investigate the matter.
- 6.5 Written record will be kept of all concerns and complaints, the date on which they were received and the details of the subsequent investigation.
- 6.6 There should be an agreed resolution within ten (10) school days, unless specific circumstances mean this period is extended.
- 6.7 A face to face conversation followed up with a letter or email will always be written to parents as a “closure”, indicating how the issue has been dealt with and what the outcome is.
- 6.8 In the event of a failure to reach a satisfactory resolution parents will be advised to pursue their complaint in accordance with the Stage 2 (Formal) procedure set out below.
- 6.9 Please note that, for the purposes of this procedure, school days refers to weekdays (Monday to Friday) during term time, excluding bank holidays and school 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 occur on an exceptional basis, and the School will take all reasonable steps to limit any such delay. The School expects parents to engage in the process in a reasonable, constructive and responsive manner to help ensure matters can be dealt with in a timely way and in line with the targets set out in this Procedure.

## **7. Stage 2 – Formal Complaints**

- 7.1 A stage 1 complaint becomes a Stage 2 complaint when the parents seek a formal meeting with the Head, or raise issues through a formal letter, which may require a written response from the school. This would normally be regarded as a formal complaint. Also, if a concern about a more minor matter is repeated and the parent is clearly not satisfied with the school’s original response, it should be raised with the Head as a formal complaint. Please note that parents can seek to resolve a complaint with the Head informally at stage 1 as well, if they have exhausted the normal initial contact routes. This is different from a stage 2 formal complaint, where parents formally, and in writing, escalate the complaint to the Head, even if the Head has been involved informally already.
- 7.2 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. Please note Clause 6.1 - parents /carers have the option to resolve the complaint informally with the Head first, under stage 1, and in fact are encouraged to do so.
- 7.3 The Head will meet with the parents and will aim to resolve the complaint with the parents concerned within twenty (20) school days of receiving the complaint. If possible, a resolution will be reached at this stage. It is not expected that the parents would be accompanied or represented by another person at this stage.

- 7.4 It may be necessary for the Head to carry out further investigations. The manner and procedure in which this will be done will be at their discretion.
- 7.5 The Head will keep written records of all meetings and interviews held in relation to the complaint. Once the Head is satisfied that, as far as is practicable, all the relevant facts have been established, a decision will be made, and parents will be informed of this decision in writing within seven (7) school days. The Head will also give reasons for their decision.
- 7.6 Following this ruling, if parents are still not satisfied then they should proceed to the Stage 3 Panel Hearing.
- 7.7 Please note that, for the purposes of this procedure, school days refers to weekdays (Monday to Friday) during term time, excluding bank holidays and school 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 occur on an exceptional basis, and the School will take all reasonable steps to limit any such delay. The School expects parents to engage in the process in a reasonable, constructive and responsive manner to help ensure matters can be dealt with in a timely way and in line with the targets set out in this Procedure.

## **8. Stage 3 – Formal Complaint Panel Hearing**

- 8.1 If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they should do so in writing to the Chair of Governors via the Clerk to the Governors within fifteen (15) days of receiving the decision at Stage 2, setting out their grounds of appeal. Any supporting evidence which the parents wish to rely on should also be provided with their grounds of appeal. In the event the parents are unable to provide their complaint within the time period stipulated (including to the extent applicable any extensions if agreed) the School reserves the right to conclude the complaint process and not progress the matter to Stage 3.
- 8.2 The Chair of Governors will then refer the appeal to the Complaints Panel for consideration. The Panel will consist of three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the School. The Chair of Governors will appoint one Panel member to act as Chair of the Panel. The Clerk to the Governors, on behalf of the Panel, will then acknowledge the complaint within five (5) school days and schedule a hearing to take place within twenty (20) school days.
- 8.3 If the Panel deems it necessary, they 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.
- 8.4 The parents may attend the hearing and be accompanied to the hearing by one other person if they wish. The Head shall also be entitled to be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or friend. Legal

representation will not be appropriate and the companion should not be a lawyer. The identity of the companions should be confirmed to Clerk to the Governors as soon as possible and by no later than five (5) working days before the hearing. The Panel will decide whether it would be helpful for witnesses to attend.

- 8.5 If a parent does not exercise the right to attend a panel hearing, this does not remove the school's obligation to hold the hearing as per its complaints policy. The school's arrangements for the panel hearing should be reasonable to facilitate the parent(s) exercising the right of attendance.
- 8.6 A note-taker will attend the hearing to take notes. This will not be a verbatim note but an accurate reflection of what was discussed. Notes of the hearing will be shared with attendees as soon as practicable after the hearing. To the extent there is any disagreement about the content of those notes or further comments from the parties, these will be considered by and, where possible, resolved by the Chair. A copy of any comments on the notes will be appended to the notes.
- 8.7 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.
- 8.8 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.
- 8.9 After due consideration of the merits of the complaint and all facts they consider relevant, the Panel will make findings as to whether or not the Stage 2 decision was a reasonable one and decide whether to:
- dismiss the complaint(s) in whole or in part;
  - uphold the complaint(s) in whole or in part; and
  - make recommendations.
- 8.10 The Panel will write to the parents informing them of its decision and the reasons for it, within seven (7) working days of the hearing (although additional time may be required if it is necessary to carry out further investigations following the hearing). The decision of the Panel will be final. A copy of the Panel's findings and recommendations (if any) will be sent by electronic mail or otherwise given to the parents, and, where relevant, the Chair of Governors and the Stage 2 decision-taker.
- 8.11 Any complaint about a decision taken by the Head to exclude or require the removal of the pupil under the School's Behaviour Policy will be governed by this Stage 3 of the School's Complaints Procedure. There may be circumstances in which the School consider it necessary and appropriate to deviate from the Stage 3 procedure in the context of appeals for exclusion and required removal, and the School will inform the parents of this.
- 8.12 Please note that, for the purposes of this procedure, school days refers to weekdays (Monday to Friday) during term time, excluding bank holidays and school 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 occur on an exceptional basis, and the School will take all reasonable steps to limit any such delay. The School expects parents to engage in the process in a reasonable, constructive and responsive manner to help ensure

matters can be dealt with in a timely way and in line with the targets set out in this Procedure.

- 8.13 It will normally be in the interests of any child or children involved in the subject matter of the complaint that the fact of a complaint being made, its subject matter and the outcome of the complaint's procedure should be kept confidential. Parents can be assured that all concerns and complaints will be treated seriously and confidentially by the school. Correspondence, statements, and records relating to individual complaints will be kept confidential by the school except to the extent required by Part 7, Paragraph 33 of the Education (Independent School Standards) Regulations 2014, by the Secretary of State for Children, Schools and Families, or where disclosure is required during the school's inspection or under other legal authority.

#### **8.14 Adjournments and cancellations**

- 8.14.1 If parents cannot attend the proposed date, they must let the school know in writing within one week of the receipt of the meeting invitation, by email to [clerk@daneshillschool.co.uk](mailto:clerk@daneshillschool.co.uk) proposing alternative dates. Cancellations with less than 48 hrs notice will only be accepted in exceptional circumstances, subject to panel's discretion.
- 8.14.2 Whilst trying to be as accommodating as possible, it might not always be possible to gather all the members of the panel on a specific date, but a second date and time will be provided to parents, and the same rules will apply regarding its cancellation. Please note that once a 3<sup>rd</sup> date is offered, it isn't subject to further changes and the meeting will carry on in their absence.

### **9. Closure of Complaints**

- 9.1 Very occasionally, the School will feel that it needs to close a complaint where the complainant is still dissatisfied. Despite the School's attempts to resolve a complaint, it is sometimes not possible to meet all the complainant's wishes and there must be an agreement to disagree.
- 9.2 If a complainant persists in making representations to the School, then it can be extremely time-consuming and detract from our responsibility to look after all the children in our care. For this reason, the school is entitled to close correspondence (including personal approaches, telephone calls, letters, or emails) on a complaint where the School feels it has taken all reasonable action to resolve the complaint and the complaint has exhausted our official process.
- 9.3 Where a complainant has been through the School's internal complaints procedures and is still unhappy with the outcome or decision from the Governing Body, then the DFE (Department for Education) School Complaints Unit can be contacted via the DFE website. The DFE advise that unless the school is shown to have behaved unreasonably or not to have followed their own procedures, there is likely to be little further action that can be taken, as Governing Bodies are empowered to deal with many issues without reference to either the local authority or the secretary of state.

## 10.Unreasonable or Vexatious Complaints and Serial and Persistent Complainants

10.1 The School 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 the school. However, we do not expect our staff to tolerate unacceptable behaviour as set out in the School's Terms and Conditions, and will take action to protect staff from such behaviour, including that which is abusive, offensive, or threatening.

10.2 The School defines serial and unreasonable complainants as '*those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints.*'

10.3 A complaint may be regarded as unreasonable when the person making the complaint (these examples are not limited):

- 10.3.1 refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- 10.3.2 refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- 10.3.3 refuses to accept that certain issues are not within the scope of a complaint's procedure;
- 10.3.4 insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure, the School's behaviour policy or with good practice;
- 10.3.5 introduces trivial or irrelevant information which the complainant expects to be considered and commented on, or raises large numbers of detailed questions, and insists they are fully answered, often immediately and to their own timescales;
- 10.3.6 makes proven unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- 10.3.7 changes the basis of the complaint as the investigation proceeds;
- 10.3.8 repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint has been addressed);
- 10.3.9 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 Department for Education;
- 10.3.10 seeks an unrealistic outcome;
- 10.3.11 makes excessive demands on school time by frequent, lengthy, complicated, or persistent contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

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

- 10.4.1 maliciously;
- 10.4.2 aggressively;
- 10.4.3 using threats, intimidation, or violence;
- 10.4.4 using abusive, offensive, or discriminatory language;
- 10.4.5 knowing it to be false;
- 10.4.6 using falsified information; publishing unacceptable information in a variety of media such as in social media websites and newspapers, aiming to cause distress, disruption and irritation through their actions
- 10.4.7 Excessively and persistently with the aim to harass

- 10.5 Whenever possible, the Head or Chair of Governors will discuss any concerns with the complainant informally before deeming it 'unreasonable' or 'vexatious'. If the behaviour continues the Head will write to the complainant explaining that their behaviour is not in line with the school's Terms and Conditions and asking them to change it. For complainants who excessively contact the 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 usually be reviewed after 6 months.
- 10.6 In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the School in line with the School's Terms and Conditions

## **11. Recording Complaints and use of personal data**

- 11.1 Following resolution of a complaint, the School will keep a written record of all formal complaints, whether they are resolved at the formal stage (Stage 2) or proceed to a Panel hearing (Stage 3) and any action taken by the School as a result of the complaint (regardless of whether the complaint is upheld).
- 11.2 The School processes data in accordance with its Privacy Notice, which is available on the website. 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
- 11.3 This may include 'special category personal data' (as further detailed in the School's Privacy Notice and the Overarching 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.
- 11.4 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, Overarching Data Protection Policy and Information and Data Retention Policy. All records relating to complaints shall be treated as confidential. In addition to where requested by the Secretary of State or an inspector (see above), there may be other circumstances where disclosure of the substance of a complaint or particular confidential records relating to it is required, for example, where there is a legal, regulatory, safeguarding or data

protection obligation (eg, in response to a subject access request) which prevails over the requirement to maintain the records as confidential.

## **12. Regulatory Body Contact Details**

ISI's contact details are:

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

Phone: 020 7600 0100

Address: CAP House, 9-12 Long Lane, London EC1A 9HA

Ofsted's contact details are:

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

Phone: 0300 123 4666/0300 123 1231

Address: Piccadilly Gate, Store Street, Manchester M1 2WD

## **13. Number of Complaints**

- 13.1 During the academic year 2024-25, the school received two (2) stage 1, informal complaints and one (1) stage 3 formal complaint.