



## PARENTAL COMPLAINTS POLICY

This policy applies to the whole school, including the EYFS

### Introduction

St Piran's 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 with care and in accordance with this policy. *The 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) Regulation 2014, The 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 (see end of policy).*

*Although this policy and procedure 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*

Complaints by parents of former pupils will be dealt with under this policy only if the complaint was initially raised when the pupil to which the complaint relates was still registered as a pupil of the School. The only exception to this is if the complaint is a review of a decision taken by the Headmaster to exclude or require the removal of a pupil under clause 7 of the School's Terms and Conditions (Parent Contract) in which case such a review must be requested no later than **five working days** from the date of decision to exclude or require the removal of a pupil.

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

### 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 procedure. 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 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.

## **The Three Stage Complaints Procedure**

### **Stage 1 – Informal Resolution**

St Piran's hopes that most complaints and concerns can and will be resolved quickly and informally.

If parents have a complaint, they should normally raise it with their son or daughter's Form Teacher. If the teacher cannot resolve the matter alone, he or she may need to consult the Head of Department/Year Group or one of the Deputy Heads.

Complaints made directly to a Head of Department/Year Group/Deputy Head or the Headmaster will usually be referred to the relevant Form Teacher, unless the Head of Department/Year Group/Deputy Head/Headmaster deems it appropriate for him/her to deal with the matter personally.

The person handling the complaint on behalf of St Piran's will make a written record of all concerns and complaints and the date on which they were raised, the steps taken to resolve the concern or complaint and whether the parent accepts that the concern or complaint has been satisfactorily resolved. Should the matter not be resolved within **seven** working days or in the event that the person handling the complaint and the parent fail to reach a satisfactory resolution then parents will be advised to proceed with their complaint in accordance with Stage 2 of the Complaints Procedure.

If, however, the complaint is against the Headmaster, parents should make their complaint directly to the Chair of Governors, whose contact details are available from the HR Manager on request.

### **Stage 2 – Formal Resolution**

If a concern or complaint cannot be resolved informally, then the parents should put their complaint in writing to the Headmaster. The Headmaster will decide, after considering the concern or complaint, the appropriate course of action to take.

In most cases, the Headmaster will speak to the parents concerned within **five** working days of receiving the complaint, to discuss the matter and if possible, a resolution will be reached at this stage. This may take longer during School Holidays. It may be necessary for the Headmaster to investigate further or to arrange for one of the Deputy Heads or other member of the SLT to investigate on his behalf.

The Headmaster or his nominee will **keep written records** of all meetings and interviews held in relation to the complaint.

Once the Headmaster is satisfied that, so far as is reasonably 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 Headmaster will also give reasons for his decision. In most cases the Headmaster will make his decision and provide parents with his reasons within **15 working days** of the complaint being put in writing

If the complaint is against the Headmaster, then the complaint should be addressed to the Chair of Governors whose contact details are available from the HR Manager on request. The Chair of Governors or their nominee will call for a full report from the Headmaster 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. Once

the Chair of Governors 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. In most cases the Chair of Governors or their nominee will make their decision and provide parents with their reasons in writing within **15 working days** of the complaint being received.

If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure no more than ten calendar days from the date of the written outcome of Stage 2.

### **Stage 3 – Reference to a Complaints Panel**

If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they should do so in writing to the Clerk to the Governors on clerk@stpirans.co.uk, within **7 working 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.

Mr C Benn, who has been appointed by the Governors to call hearings of the Complaints Panel, will then refer the appeal to the Complaints Panel for consideration. The Panel will consist of three persons not directly involved in the matters detailed in the complaint and one of whom shall be independent of the management and running of the School. 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 and make the arrangements within **5 working days** (if during term-time) and schedule a hearing to take place within **20 working days**.

The Panel may deem it necessary to acquire further particulars of the complaint or any related matter in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than **5 working days** prior to the Hearing.

The parents may attend the Hearing and be accompanied by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not be appropriate. The Panel will decide whether it would be helpful for witnesses to attend.

The manner in which the hearing is conducted shall be at the discretion of the Panel.

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.

After due consideration of 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 in whole or in part**
- **uphold the complaint in whole or in part; and**
- **may make recommendations.**

The Panel will write to the parents informing them of its decision and the reasons for it, **within 5 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 person complained about as well as the Chair of Governors and the Head. A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the School premises by the Chair of Governors and the Head.

Any complaint of a decision taken by the Head to exclude or require the removal of the pupil under clause 7 of the School's Terms and Conditions (Parent Contract) will be governed by this Stage 3 of the School's Complaints Procedure. In such circumstances, the Panel may only uphold the complaint if they consider, having regard to the process followed by the Head, that the Head's decision to exclude/require the removal of the pupil was not a reasonable decision for the Head to have taken.

### **Timeframe for Dealing with Complaints**

All complaints will be handled seriously and sensitively. They will be acknowledged within seven 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 **28 working days**. Stage 3, the Appeal Panel Hearing, will be completed within a further **25 working days**.

Please note that, for the purposes of this procedure, **working days** refers to weekdays (Monday to Friday) during term time, excluding bank holidays.

### **Recording of Complaints and Use of Personal Data**

Following resolution of a complaint, the School will keep a written record of all complaints if resolved at the formal stage or proceed to a panel hearing and any action taken by the School as a result of the complaint (regardless of whether the complaint is upheld)

The School processes data in accordance with its Privacy Notices, which are available on the School website or on request via the School Office. When dealing with complaints the School (including any panel member appointed under the Stage 3 procedure) 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 of member(s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations)
- Notes of the hearing
- The Panel's written decision

This may include 'special category personal data' (as further detailed in the School's Privacy Notice, but potentially including sensitive data such as information relating to physical or mental health) where this is necessary owing to the nature of the complaint. 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 Retention Policy but in most cases for a period of at least six years after the pupil leaves the School. Where the complaint is deemed to involve safeguarding, records concerning allegations of abuse will be preserved at least until the accused has reached normal retirement age or ten years from the date of the allegation if it is longer.

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.

Parents of EYFS children 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. Parents will be notified by ISI or Ofsted of the outcome of the investigation into their complaint within 28 days of the complaint being received.

St Piran's 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 our Privacy Notice and Data Retention Policy.

Parents may complain directly to Ofsted or to ISI if they believe the provider is not meeting the EYFS requirements.

Ofsted can be contacted on 0300 123 1231 or by email; enquiries [@ofsted.gov.uk](mailto:@ofsted.gov.uk)  
Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD

ISI can be contacted on 02076000100 or by email: [concerns@isi.net](mailto:concerns@isi.net)  
ISI, CAP House, 9-12 Long Lane, London, EC1A 9HA

For the academic year 2022-23, the number of complaints registered under a formal procedure within this policy was 4. All complaints were resolved at Stage 2.

**Reviewed by:** Headmaster  
**Date:** Aug 2023  
**Review Date:** Aug 2024