



**Exeter School**

**Parental Complaints Policy**

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| <b>Status:</b>           | Approved    |
| <b>Approver:</b>         | SLT         |
| <b>Source (author):</b>  | MCMM        |
| <b>Last review date:</b> | August 2024 |
| <b>Next review date:</b> | August 2025 |



### 1. Introduction

Exeter School (“the School”) 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 Complaints Procedure.

Exeter School makes its Complaints Procedure 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 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.

Although this 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 Complaints Procedure 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 8.16 of the School’s Terms and Conditions in which case such a review must be requested by no later than five working days from the date of the decision to exclude or require the removal of a pupil.

The School will be mindful of its obligations under the Equality Act 2010 in the application of this policy. “Parent(s)” means the holder(s) of parental responsibility for a pupil about whom the complaint relates.

### 2. 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 concerns and complaints will be treated seriously and confidentially. 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 109 of the Education and Skills Act 2008 requests access to them. There may also be other circumstances in which the School is required to share information relating to a concern or a complaint in order to comply with its legal or regulatory obligations.

The School is here for your child and you can be assured that your child will not be penalised for a complaint that you raise in good faith.

### 3. The Three-Stage Complaints Procedure

#### 3.1. Stage 1 – Informal Resolution

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



If parents have a complaint, they should normally contact their child's form tutor. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the form tutor cannot resolve the matter alone it may be necessary for him/her to consult a head of year or member of the relevant school leadership team. Complaints received by any other colleague in the senior school will generally be first referred to the form tutor, who may then escalate the complaint through the head of year to senior leadership if necessary.

The member of staff dealing with the matter will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved within five working days or in the event that the member of staff 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 this Complaints Procedure.

If, however, the complaint is against the Head, parents should make their complaint directly to the Chair of Governors, through the Clerk to the Governors, either via e-mail [clerk@exeterschool.org.uk](mailto:clerk@exeterschool.org.uk) or by calling on 01392 307080.

### **3.2. 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. Parents should complete the appended Complaint Form to proceed to Stage 2. The Head will decide, after considering the complaint, the appropriate course of action to take.

In most cases, the Head will meet or speak to the parents concerned, within five working days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.

It may be necessary for the Head, or their nominee, 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 their decision. In most cases, the Head will make their decision and provide the parents with reasons within 15 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. 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 their decision.

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

### **3.3. Stage 3 – Panel Hearing**

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 (who acts as convenor/clerk to the Panel) within five 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. To the extent the parents are unable to provide their complaint within the time period stipulated due to extenuating circumstances which have impeded the parents from taking action, the parents should request an extension in writing. Such a request should be made to the clerk to the Panel in advance of the original deadline, setting out the further time period requested and the reason for this. This will be considered. 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.

The convenor, 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 convenor, on behalf of the Panel, will then acknowledge the complaint within five working days and schedule a hearing to take place within 20 working days.

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 or further investigation be carried out. Copies of such particulars shall be supplied to all parties not later than five working days prior to the hearing.

The parents may attend the hearing and be accompanied to the hearing by one other person if they wish. The Stage 2 decision taker, 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 normally be appropriate.

The Panel will decide whether it would be helpful for witnesses to attend.

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.

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 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.

The Panel will write to the parents informing them of its decision and the reasons for it, within five 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 Stage 2 decision-maker.



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 8 of the School's Terms and Conditions will be governed by this Stage 3 of the School's Complaints Procedure. In such circumstances, the Panel may only uphold the complaint and ask the Head to reconsider their decision 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.

#### **4. Timeframe for dealing with complaints**

All complaints will be handled seriously, sensitively and within clear and reasonable timescales.

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. Stage 3, the Appeal Panel Hearing, will be completed within a further 20 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 and half term. 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.

#### **5. 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 procedure.

#### **6. Recording complaints and use of personal data**

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 the complaint (regardless of whether the complaint is upheld).

The School processes data in accordance with its Privacy Notice as available on the School 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:

- Any completed Complaint Form
- 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, 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, Data Protection Policy and Retention of Records Policy.

### **7. Number of complaints**

For the academic year 2023-24, the School received two formal complaints, which were resolved to the mutual satisfaction of both parties.

### **8. Complaints**

The School is inspected by ISI, an independent organisation which reports to the government on schools. Parents may contact ISI if they have a concern or complaint.

ISI will usually expect parents to have followed and exhausted the school's formal complaints procedure before contacting them.

### **Independent Schools Inspectorate**

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

Telephone 020 7600 0100

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

### **9. Alternative Dispute Resolution (ADR)**

From 1 October 2015, under EU regulation, ADR applies to all contracts for services and the School's contracts with parents therefore fall within its scope. ADR takes effect when the School's internal complaint-handling procedures detailed above in stages 1 – 3, are exhausted without resolution of the matter.

In this unlikely eventuality, the School will provide parents in writing advising them that the School is unable to settle the parental complaint and providing them with the name and website address of an ADR provider that could deal with the complaint, if the parent wishes to use ADR. However, the School is not required to submit to an ADR procedure.



## Exeter School – Complaint Form

Please read the School's Complaints Policy before completing this form. It provides information on when and how this form should be completed.

This form should be completed by those with parental responsibility<sup>1</sup> for a pupil and returned to the Head via [head@exeterschool.org.uk](mailto:head@exeterschool.org.uk) or, if the complaint is against the Head, the Chair of Governors via [clerk@exeterschool.org.uk](mailto:clerk@exeterschool.org.uk).

|  |  |
|--|--|
| <b>Your name(s)</b>  |  |
| <b>Name of pupil(s), year(s) and your relationship to them</b> |  |
| <b>Contact address</b>   |  |
| <b>Contact telephone day</b>                                   |  |
| <b>Contact telephone mobile</b>                                |  |
| <b>Contact email address</b>                                   |  |
| <b>Details of the complaint<sup>2</sup></b>                    |  |
|  |  |

<sup>1</sup> Parental responsibility is defined in the Children Act 1989 as "*all rights, duties, powers and responsibilities and authority which by law a parent of a child has in relation to the child and his or her property*". It equates to legal responsibility for the child. If you have any doubts about whether you do or do not have parental responsibility for the child you may wish to seek legal advice.

<sup>2</sup> Please provide details of the nature of your complaint. If you have more than one ground of complaint we suggest numbering them so that each is considered in turn. If you require more space you may wish to attach an additional page setting out your complaint.



**Action taken to date (including staff member(s) who has/have dealt with it so far) and solutions offered:**

**The reason(s) that this was not a satisfactory resolution for you**

**What action(s) would you like to be taken to resolve your complaint?**

**Signature(s):**

**Date:**





|   |
|---|
| <b>School use only</b>  |
| <b>Stage in the complaints procedure (circle as appropriate):</b> 1       2       3 |
| <b>Date acknowledgement sent:</b>   |
| <b>By whom:</b>   |
| <b>Complaint referred to:</b>   |
| <b>Action taken:</b>  |
| <b>Date:</b>  |

**How we may use personal information**

The School processes data in accordance with its Privacy Notice available on the School’s website. When dealing with complaints the School (including any Panel members appointed under the Stage 3 process) may process a range of information, which is likely to include:

- This completed complaint form
- Date when the issue was raised
- Name of parent(s) and pupil(s)
- Description of the issue
- Records of all the investigations
- Pupil records (as appropriate)
- Witness statements (as 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 meetings including the Panel hearing, and
- The Panel’s written decision.

As part of the complaints process we may also process ‘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, Data Protection Policy and Data Retention Policy.