

# INFLUENTIAL BEDE'S

## Complaints Policy (Trust including EYFS)

Author/ Role	Senior School Head/CEO
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***This policy is considered a 'live' document and will be updated as statutory guidance is released***

**In policies St Bede's School Trust Sussex may be referred to as Bede's/the School/the Trust.**

**Bede's is committed to safeguarding and promoting the welfare of children and young people, and expects all staff and volunteers to share this commitment.**

## **Vision, Mission and Values**

### **Our Vision**

Where every child finds joy in their pursuit of brilliance

### **Our Mission**

We continue to craft a more joyful education.

- Cultivating a vibrant learning experience, motivating us to pursue our individual best.
- Providing a festival of opportunity, enabling us to discover new passions and develop new talents.
- Building a kind-hearted community, inspiring us to enhance the lives of others.

### **Our Values**

#### **Be Compassionate**

Because a caring community fosters belonging.

We expect our community to show kindness to people of all ages, genders and ethnicities, maintaining campuses where every person feels joyful and energised.

#### **Be Courageous**

Because fortune favours the brave.

We challenge our community to stand up for what is right, providing them with a safe environment where they can take bold action in pursuit of brilliance.

#### **Be Curious**

Because wisdom can be found off the beaten track.

We encourage our community to discover unlikely passions and hidden niches, releasing them into a wealth of opportunities inside and outside the classroom.

#### **Be Conscientious**

Because dedication is a spearhead of success.

We ask our community to throw themselves wholeheartedly into every endeavour, taking responsibility for their journey and inspiring others to do the same.

## **Policy Principles/Aims:**

It aims to ensure that current pupils, parents and staff of the Trust are able to raise a concern, air a grievance, or make a formal complaint following a process that is fair, transparent, timely and designed to maximise the chance of a positive resolution.

## **Statutory Guidance:**

This procedure addresses The Education (Independent School Standards) Regulations (including updates from September 2020), Part 6, paragraph 32, (3)(f) - Provision of information and Part 7, paragraph 33 - Manner in which complaints are to be handled. In addition, this procedure addresses the National Minimum Standards for Boarding (2022).

## **Associated Trust Policies:**

## 1. Introduction

- I. This policy applies to all areas of the Trust; the Senior School, Summer School, Preparatory School, Pre-Preparatory School and Nursery including those in the EYFS settings.
- II. It aims to ensure that current pupils, parents and staff of the Trust are able to raise a concern, air a grievance, or make a formal complaint following a process that is fair, transparent, timely and designed to maximise the chance of a positive resolution.
- III. This procedure applies to parents of pupils currently on the roll of the Trust. It does not apply in respect of past pupils unless the complaint was initially raised whilst the pupil was still on the Trust roll. This procedure does not apply to complaints by prospective parents, including those who have accepted a place in the Trust in respect of their child but where that child has not yet started in the Trust.
- IV. The Trust will not normally investigate any anonymous complaints. However, the Senior School Head/CEO or Clerk to the Governors, as appropriate, will determine whether the complaint warrants an investigation.
- V. Requests for financial awards, such as claims for compensation, damages or fee refunds, are beyond the scope of the Trust's complaints procedures.
- VI. All parents should be aware that regardless of the nature of a complaint and whether or not it is upheld, parents are not entitled to details of any related sanctions imposed on staff, pupils or parents for reasons of data protection and confidentiality.
- VII. Whilst the Trust is fundamentally committed to providing the best possible education for all children, within a safe and accommodating environment, we accept that unhappiness about that provision may occur from time to time. We are a large, complex, human organisation; mistakes can occur and differences of opinion arise. We are also a learning community and it is important that the Trust is seen to practice the self-reflection and determination to improve that we try to instill in our pupils.
- VIII. Accordingly, this policy endorses openness towards listening to suggestions, addressing concerns and dealing seriously with complaints raised. Those with grievances are encouraged to mention these as early as possible, allowing us the opportunity to try to rectify a problem or to explain the Trust's position before a matter becomes intractable.
- IX. At the heart of this policy is a belief that both parents and staff share the same desire to see pupils flourish in our care. Educational research makes it very clear that an important component of a successful education is a strong partnership between parents and teachers.
- X. Therefore, regardless of the nature of any complaint, this policy encourages the presentation of a united front to pupils whilst a matter is resolved, so as to avoid damaging mixed messages and an undermining of the authority of either party in their eyes.

## 2. Guiding Principles

- I. Safeguarding and the promotion of pupil welfare will always be the priority in addressing any concerns or complaints.
- II. Concerns or complaints should be managed sympathetically, discretely, efficiently and with due dignity to all parties. Matters raised will be dealt with at the appropriate Stage and resolved as swiftly as possible, but without undue haste. We recognise that matters that are unresolved risk becoming a cause of resentment, which can erode relationships and confidence in the Trust.
- III. The Trust will try to resolve every concern or complaint in a positive way, with the aim of putting right that which may have gone wrong and, where necessary, reviewing our systems and procedures in light of the circumstances.
- IV. Complainants should never be made to feel that their concerns are trivial, will be taken amiss or will adversely affect any pupil in the Trust.
- V. The policy however distinguishes between a concern or a difficulty which can be resolved informally and a formal complaint which will require investigation.
- VI. This policy has regard to other Trust policies, some of which may take precedence in certain situations. Examples include, but are not limited to: Safeguarding Children Policy, Exclusion Policy, Parent Contract (including Terms & Conditions)
- VII. This policy is written with regard to the Independent Schools Standards Regulations (ISSR) 2016 (Part 7) and National Minimum Standards 2015 (standard 18).

## 3. Terminology

For the purposes of this policy, the following terms are defined as:

- Pupils:** refers to all children enrolled within the Trust.
- Staff:** refers to all staff, teaching and support, in any part of the Trust.
- Parents:** refers to all current parents or legal guardians or education guardians, and may, at our discretion, include a parent whose child has recently left the Trust.

## 4. Time Scales

The Trust aims to resolve all complaints efficiently and promptly and parents are encouraged to bring any matter causing concern to the Trust's attention as soon as possible. Whenever possible, a complaint should be raised within three months of the incident, or where a series of associated incidents have occurred, within three months of the last of these incidents. However, the School will consider complaints made within 12 months if exceptional circumstances apply.

Therefore, a complaint raised after three months should include details of the reasons for the delay.

- I. Timescales for each stage of the School's complaints procedure are set out below. It is expected that the management of every complaint will progress in a timely manner. Where there are exceptional circumstances resulting in a delay to the timescales for a stage of the complaints procedure (such as other bodies investigating aspects of the complaint), the School will notify the parent and inform them of the new timescales as soon as possible.
- II. Complaints which are raised in the school holidays will usually be deemed to have been received on the first working day after receipt.

- III. If a Parent commences legal action against the School in relation to their complaint, the Senior School Head/CEO or Chair of Governors will decide whether or not to suspend the complaints procedure until those proceedings have been concluded.

## 5. Stage of Concern or Complaint

This policy identifies three Stages of concern or complaint, acknowledging that matters can sometimes start at one Stage and escalate to the next if not satisfactorily resolved:

- **Stage 1:** informal raising of a concern or difficulty, notified orally or in writing to a member of staff
- **Stage 2:** a formal complaint, made in writing to the Head of the respective school.
- **Stage 3:** a formal complaint, made in writing to the Chair of Governors.

If a parent wishes to raise a complaint directly against the Senior School Head/ CEO, they should commence with Stage 2.

## Safeguarding Concerns

Any concern relating to the safety of a child falls under the School's Safeguarding Children Policy and its processes take priority over the Complaints Policy, such matters should be notified immediately to the Designated Safeguarding Lead and/or the Head of the School concerned.

## 6. Procedure

### (a) Stage 1 – Informal Resolution

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

A non-exhaustive list of examples might include:

- Dissatisfaction over some aspect of teaching or pastoral care; concern about the allocation of privileges or responsibilities, about a timetable clash or about some other aspect of the School's systems or equipment; a complaint about a billing error.

If Parents have a complaint or concern about an educational issue (i.e. relating to the classroom, the curriculum, or provision for learning difficulties and disabilities/special educational needs) or a pastoral issue (e.g. relating to matters outside the classroom) they should initially contact their child's Tutor, Class Teacher in the Prep School or Key Worker in the Nursery.

In many cases, the matter can be resolved straightaway by this means to the Parents' satisfaction.

If the Tutor, Class Teacher or Key Worker cannot resolve the matter alone or the complaint relates to the Tutor, Class Teacher or Key Worker it may be necessary to consult the relevant Head of Department, Head of Year, Housemistress/Head or a member of the Senior Management Team

A query relating to financial matters should be submitted in writing to the Bursar.

Complaints made directly to one of the Deputy Heads or to the Head of the respective school will usually be referred for further action to the Tutor, Class Teacher or Key Worker, Head of Department, Head of Year or Housemistress/Head, unless a Deputy Head or the Head of the respective school deems it appropriate for an alternative member of staff to deal with the matter.

**Acknowledgement:**

We will acknowledge a written notification by telephone, e-mail or letter within **two working days of receipt** during term time and as soon as practicable in the holidays. A matter raised orally will not necessarily be acknowledged in writing but will be recorded.

**Records:**

Given the diverse nature of Stage 1 complaints, they are not recorded in a central register but rather, in the respective files of Housemistress/Heads, Heads of Department, Deputy Heads or other relevant senior staff managers.

**Resolution:**

The parent will usually receive a response to the complaint no later than 15 working days from receipt of the complaint.

If the parent is dissatisfied with the response to the informal complaint or in the event that the complaint cannot be resolved by informal means, the parent may make a formal complaint under Stage 2.

Any complaints regarding fulfilment of the Early Years Foundation Stage (EYFS) requirements will be investigated and a response provided within 28 days of receipt of the complaint.

**(b) Stage 2: Formal Resolution****Notification:**

A Stage 1 concern that is unresolved, or a complaint which needs investigation, or dissatisfaction with some aspect of the School's policies, procedures, management or administration, should be set out in writing. Parents are encouraged to complete a Complaint Form (Appendix 1). Any complaint should include the complainant's contact details, full explanation of the complaint and all relevant associated documents for consideration.

- I. Prep School parents who are dissatisfied with the decision made by the Prep School Head may appeal this decision by making a formal complaint to the Senior School Head / CEO.
- II. Prep School parents who have a serious complaint about the Prep School Head should direct this complaint, in writing, to the Senior School Head /CEO.
- III. Summer School parents who are dissatisfied with the decision made by the Director of the Summer School may appeal this decision by making a formal complaint to the Senior School Head / CEO.
- IV. Summer School parents who have a serious complaint about the Director of the Summer School should direct this complaint, in writing, to the Senior School Head /CEO.
- V. If a parent has a concern about the Senior School Head /CEO, this will constitute a complaint and should be made directly to the Chair of Governors.
- VI. If a parent has a concern about a member of the Board of Governors this will constitute a complaint and should be made directly to the Senior School Head /CEO who will then report it to the Chair of Governors.
- VII. If a parent has a concern about the Chair of Governors, this will constitute a complaint and should be made directly to the Senior School Head /CEO who will then report it to the Vice-Chair of the Board of Governors

**Acknowledgement:**

Written Stage 2 complaints will be acknowledged by telephone, email or in writing **within two working days during term time**, indicating the action that is being taken and confirming that a response will be provided within fifteen working days, unless a lengthier investigation is required. Written complaints received during holiday breaks will be addressed as soon as is practicable.

**Investigation:**

The Senior School Head or Prep School Head will appoint a Complaints Officer to act as “investigator”.

The investigator may request additional information from the complainant and may also wish to speak to them and to others who have knowledge of the circumstances. The outcome of the investigation will be reported to the Senior School Head or Prep School Head, who will then notify the complainant in writing of their decision and the reasons for it **within fifteen working days** of the complaint being acknowledged. If the complaint is received immediately prior to or during a school holiday the Head will report back within **ten working days** of the start of the new term.

**Records:**

Written records will be kept of all Stage 2 complaints.

These are the responsibility of the Head of the respective schools. A file will contain a register of all Stage 2 complaints and a record of the salient documentation related to each one.

The register will also identify those complaints relating specifically to boarding and EYFS issues.

The record will show whether the complaint was resolved following a formal procedure or proceeded to a Stage 3 complaint. It will include details of any actions taken as a result of the complaint, regardless of whether it was upheld.

The record will be made available by the School, on the school premises, for inspection by the Governors.

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 108 or 109 of the 2008 Act requests access to them. That is, where access is requested by the Secretary of State or where disclosure is required in the course of an inspection or under other legal authority.

The School will provide ISI, on request, a written record of all complaints made during any specified period and the action that was taken as a result. Therefore, records of complaints will be kept for at least seven years to accommodate the inspection cycle.

Any complaints regarding fulfilment of the Early Years Foundation Stage (EYFS) requirements will be investigated and a response provided within 28 days of receipt of the complaint.

**(c) Stage 3: Referral to Review Panel****Notification:**

If a complainant is still dissatisfied with the Senior School Head/ CEO’s decision and/or explanation their complaint may be renewed in writing to the Chair of Governors, **within ten working days** of receipt of the decision letter from the Senior School Head / CEO.

Complainants are encouraged to complete a Request for Independent Panel Review Form (Appendix



2) along with a letter to the Chair of Governors which should include the complainant's contact details, a full explanation of the complaint and all relevant associated documents for consideration.

This should include those aspects of the complaint about which the parent remains dissatisfied; the outcome desired; and whether the parent wishes to attend the hearing and if so, whether they propose to be accompanied.

If assistance with the request is required, for example, because of a disability, the Convenor should be informed who will be happy to make appropriate arrangements.

The panel will not consider any area of complaint that has not been raised previously in Stage 1 or Stage 2 of the Complaints Procedure except for an appeal by parents against the School's decision to exclude their child.

### **Acknowledgement:**

Stage 3 letters of complaint will be acknowledged by telephone, email or in writing within **five working days during term time**, indicating the action that is being taken. During holidays, an acknowledgement will be provided as soon as is reasonably practicable.

### **Action:**

The Chair of Governors will determine whether a further investigation of the complaint is warranted. If so, a Complaints Panel will be convened. If not, reasons for not pursuing the Stage 3 complaint will be communicated in writing by the Chair of Governors **within seven working days** of acknowledging the letter of complaint

### **Complaints Panel Composition:**

The Complaints Panel ("Panel") will comprise two School Governors who have no detailed prior knowledge of the complaint and a member who is independent of the governance, management and running of the Trust.

### **Response:**

The Clerk to the Governors will convene the Complaints Panel as soon as is reasonably practicable. In term-time, that will usually be **within fifteen working days** of the Chair of Governors acknowledging and confirming the request for a hearing.

The Panel will not normally sit during half-terms or School holidays. The Clerk will send the complainant written notification of the date, time and place of the hearing together with brief details of the Panel members who will hear it.

### **Attendance:**

Complainants will be asked to attend the hearing and may be accompanied by one other person such as a relative, teacher or friend. Legal representation will not normally be appropriate.

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 five days prior to the hearing.

If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation.



**Panel Chair:**

The hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in a civil manner.

**Hearing:**

All statements made at the hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes. The Panel Chair will ensure that the meeting is minuted by the clerk or an assistant. These minutes will be shared with the parents upon request.

The Panel will consider each of the outstanding concerns raised by the parents so far as relevant to:

1. What action the parents seek in order to satisfy the complaint in their eyes.
2. Whether the facts of the case were sufficiently established. The civil standard of proof, namely "the balance of probability" will apply.
3. Whether any further investigation is required.
4. If so, by whom and by when

The manner in which the hearing is conducted shall be at the discretion of the Panel. After due consideration of all the facts they consider relevant, the Panel will make findings and may make recommendations.

The Clerk will be asked to take a handwritten minute of the proceedings in any event.

**Evidence:**

The Panel Chair will conduct the hearing in such a way as to ensure that all those present have the opportunity to ask questions and making comments in an appropriate manner. The hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.

**Conduct:**

All those attending the hearing are expected to show courtesy, restraint and good manners or, after due warning, the hearing may be adjourned or terminated at the discretion of the Panel Chair. If terminated, the original decision will stand. Any person who is dissatisfied with any aspect of the way the hearing is conducted must say so before the proceedings go any further and his/her comment will be minuted.

**Adjournment:**

The Panel Chair may, at his/her discretion, adjourn the hearing for further investigation of any relevant issue.

**Decision:**

In the absence of a significant procedural irregularity which might lead to a re-hearing, the decision of the Panel will be final. The decision will be recorded and will be available for inspection on the school premises by the Head and the Chair of Governors. The decision, with reasons, will be notified to those concerned by the Chair of the Panel at the end of the meeting or, if further discussion is necessary, by letter or e-mail by the Panel Chair or the Chair of Governors within five working days of the meeting. If relevant, the person complained about will also receive a copy of the decision.

It is not within the powers of the Panel to make any financial award, nor impose sanctions on staff,

pupils or parents, although they may recommend these actions to the Senior School Head/ CEO or Trustees.

### **Private proceeding:**

A hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be made available directly or indirectly to the press or other media.

### **Records:**

As with Stage 2 complaints, a written record will be kept in the Complaints register of all complaints that proceed to a Panel hearing. The record will show whether the complaint was resolved following a formal procedure or proceeded to a panel hearing, and will include detail of any actions taken as a result of the complaint, regardless of whether it was upheld.

The record will be made available by the School, on the school premises, for inspection by the Governors.

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 108 or 109 of the 2008 Act requests access to them. That is, where access is requested by the Secretary of State or where disclosure is required in the course of an inspection or under other legal authority.

The School will provide ISI, on request, with a written record of all complaints made during any specified period and the action that was taken as a result. Therefore, records of complaints will be kept for at least seven years to accommodate the inspection cycle, for a longer period if the complaint has a safeguarding angle to it. In accordance with data protection principles, details of individual complaints will then normally be destroyed following each School inspection. In exceptional circumstances some details will be retained for a further period as necessary.

Any complaints regarding fulfilment of the Early Years Foundation Stage (EYFS) requirements will be investigated and a response provided within 28 days of receipt of the complaint.

## **7. Whistleblowing**

If, having exhausted all the Trust's procedures, the parents submitting the complaint do not feel the complaint has been properly addressed, they do have the option of reporting their concerns to the Independent Schools' Inspectorate (ISI): 020 7600 0100 or [concerns@isi.net](mailto:concerns@isi.net)

## **8. Vexatious and Persistent Complaints**

A sound set of complaints procedures should limit the number of complaints that become protracted or vexatious; and if the procedures are followed correctly to keep the person informed of what is happening, this should not become an issue.

However, occasionally, a complainant may remain dissatisfied despite all the procedures having been followed. It may well be a case of not being able to resolve all their concerns and meet all their wishes. Sometimes it is simply a case of 'agreeing to disagree' and moving on.

If the complainant continues to make representations to the school or attempts to re-open the same issue, the Chair of Governors should inform them, in writing, that the procedures have all been followed and that all reasonable action has been taken to resolve the issue and that the matter

is now closed. In some cases, it may be necessary to seek legal advice to deal with particularly vexatious or persistent complainants. (See Appendix 3 for further explanation and detail)

Threats involving the media and/or legal action should be treated respectfully, whilst reassuring the person that the school will respond to any letters or approaches from the media or solicitors in the normal way and in line with the appropriate procedures.

Occasionally, the behaviour of a complainant can pose a threat to the school community. If this occurs, a warning letter should be sent to the person in which it is made clear that unwelcome and threatening behaviour is not tolerated. If required to do so, the Trust will engage local authorities and may take further legal advice.

### **9. Early Years Foundation Stage (EYFS):**

Special obligations apply to any complaints about the EYFS provision. As well as following the Complaints procedures detailed in this policy, complainants who remain unhappy may make a complaint to the Independent Schools Inspectorate (ISI) or Ofsted.

Details of how to contact ISI and Ofsted are given at the end of this policy. All written complaints will be investigated and the complainant notified by the School of the outcome of the investigation within 28 days of the complaint being received.

OFSTED can be contacted at the following address:-

Ofsted  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

Telephone: 0300 123 1231

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

ISI can be contacted at the following address:-

CAP House  
9 – 12 Long Lane  
LONDON  
EC1A 9HA  
Telephone: 020 7600 0100  
Email: [info@isi.net](mailto:info@isi.net)

Note: The number of formal complaints received during the last academic year 2022-2023 was 1 at the Senior School and 3 (three) at the Prep School. In the Senior School there was 1 formal panel review

## Appendix 1

**Complaint Form (Stage 2 Complaints)**

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

To be completed by those with **parental responsibility**<sup>1</sup> for a current pupil and returned to the Head via headHead@bedes.org (Senior School) or prep.head@bedes.org (Prep School) or, if the complaint is against the Head, returned to the Chair of Governors via clerk@bedes.org

<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:**

**School use**

**Stage in the complaints procedure (circle as appropriate):**    1       2       3

**Date acknowledgement sent:**

**By whom:**

**Complaint referred to:**

**Action taken:**

**Date:**

**Appendix 2****Request for an Independent Panel Review**

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

To be completed by those with **parental responsibility** for a current pupil and returned to the Clerk to the Governors via [clerk@bedes.org](mailto:clerk@bedes.org)

<b>Pupil's Name and Year Group</b>	
<b>Names of those with Parental responsibility</b>	
<b>Contact address</b>	
<b>Contact telephone day</b>	
<b>Contact telephone mobile</b>	
<b>Contact email address</b>	
<p>We request that a sub-committee ("Panel") of the Board of Governors carries out a formal and independent review ("Review") of the Head's response to a complaint. We agree that the Review will be carried out in accordance with Stage 3 of the Complaints Procedure supplied to us and we agree to abide by the terms of that Procedure and in particular that the proceedings, all correspondence, statements and records relating to the complaint are kept confidential (except where the Secretary of State or a body conducting an inspection under section 162A of the 2002 Act, as amended, requests access to them) and that the decision of the Panel will be final, subject to such (if any) legal rights as may exist.</p>	
<p>I/We, having parental responsibility for the above named pupil, request that a subcommittee of the Board of Governors carries out a review of a formal complaint.</p> <p>I/We have received with this form a copy of the Policy Statement on Review Procedures and we agree to abide by its terms.</p> <p>I/We also agree that the proceedings are and will remain confidential and that this review will be final subject to any legal rights that may exist.</p> <p>The grounds upon which we ask for a review and the matters, which we wish to discuss and to ask the sub-committee to take into account, are set out in the attached letter.</p> <p>I/We understand that we may be accompanied at the Review Hearing. We also understand that that person attends only to provide support and not to act as a representative.</p>	
<p>(Two signatures are required where practicable)</p>	

<b>First Signature:</b>	<b>Second Signature</b>
<b>Full Name:</b>	<b>Full Name:</b>
<b>Relationship to pupil:</b>	<b>Relationship to pupil:</b>
<b>Date:</b>	<b>Date:</b>

### **How we may use personal information**

The School processes data in accordance with its [Privacy Notice](#). 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 Trust'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.



**Appendix 3****Unreasonable complaints**

1. The Trust is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. It will not normally limit the contact complainants have with the Trust. However, the Trust does not expect staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.
2. Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, this can be regarded as vexatious and outside the scope of the policy.
3. Unreasonable complaints are taken seriously by the Trust as they put a strain on valuable resources and hinder the progress of proper investigations.
4. The Trust adopts the Department for Education's definition of unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the Trust, such as if the complainant:
  - refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
  - refuses to cooperate with the complaints investigation process;
  - refuses to accept that certain issues are not within the scope of a complaints procedure;
  - insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
  - 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;
  - makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
  - changes the basis of the complaint as the investigation proceeds;
  - repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
  - refuses to accept the findings of the investigation into that complaint where the Trust's complaints procedure has been fully and properly implemented and completed;
  - seeks an unrealistic outcome; makes excessive demands on Trust time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with;
  - uses threats to intimidate;
  - uses abusive, offensive or discriminatory language or violence;
  - knowingly provides falsified information;
  - publishes unacceptable information on social media or other public forums.
5. A complaint may also be considered unreasonable if it is manifestly unjustified, inappropriate, or an improper use of formal procedure.
6. In assessing this, the Trust 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 the Trust will consider a range of factors including:
  - whether a complaint has reasonable foundation;
  - the history and context of the complaint (and any evidence where relevant);
  - whether the time and cost of investigating the complaint is proportionate to the issue(s) complained of;

- whether an investigation of the complaint is likely to cause a disproportionate or unjustified level of disruption, irritation or distress;
  - unexplained delay in raising a complaint or issue;
  - 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;
  - any evidence of a complaint being brought for an improper purpose.
7. Whenever possible, the Head and/or Chair of Governors will discuss any concerns with the complainant informally before dismissing a complaint as unreasonable.
  8. If the behaviour continues, the Trust will write to the complainant explaining that their behaviour is unreasonable and ask them to change it.
  9. For complainants who excessively contact the Trust causing a significant level of disruption, the Trust may specify methods of communication and limit the 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 Trust will immediately inform the police and communicate its actions in writing. This may include barring an individual from the Trust.
  11. It is open to a complainant to request that a complaints panel be convened to determine the single issue of whether the Trust's dismissal of the complainant's original complaint(s) was justified.

**Appendix 4****SUMMARY OF COMPLAINTS PROCEDURE FOR PUPILS – BEDE’S SENIOR SCHOOL**

*This section is particularly addressed to pupils (including boarders).*

- 1. If you are unhappy, or worried about a problem or wish to make a complaint, you should talk to someone.**

That person might be:

**IN SCHOOL:**

- Your Hms or Deputy Hms
- Matron or House Manager
- Your Tutor or another member of the teaching staff
- The safeguarding team [seniordsl@bedes.org](mailto:seniordsl@bedes.org)
- Independent adults, the school has two adults, independent of the school, who pupils can contact with concerns/problems. Jonathan can be contacted on 01323 356614; Dawn can be contacted on 01323 356613
- The School Doctor - via the Medical Centre
- The Medical Centre
- The Senior Deputy Head, Mr Tuson, either directly by email - [senior.deputyhead@bedes.org](mailto:senior.deputyhead@bedes.org) or by making an appointment through their PA
- The Head, either directly by email - [headmaster@bedes.org](mailto:headmaster@bedes.org) or by making an appointment through their PA
- Help is also available via the Pupils’ MyBede’s page: <https://sites.google.com/bedes.org/pupil/help>

**OR IT MIGHT BE, OUTSIDE THE SCHOOL:**

- Your parents
- National Drugs Helpline (tel: 03001236600)
- Childline (tel: 0800 1111)
- Office of the Children's Commissioner – 0207 783 8330
- Child Exploitation and Online Protection Centre (CEOP) [www.ceop.police.uk/safety-centre/](http://www.ceop.police.uk/safety-centre/) (online contact form)
- Further links to external agencies can be found via the Pupils’ MyBede’s page: <https://sites.google.com/bedes.org/pupil/help>

- 2. Do not be afraid to speak if you have a concern or complaint about your or someone else’s welfare**

- a. Everyone at the School is concerned about your welfare and there is always help available. If you have any concern it is much better to say something than it is to stay silent.
- b. You can contact any of the people listed above as a first step.

- 3. Key principles**

- a. A written record is kept of all complaints and their outcome, for regular review by the Head or a senior member of staff.
- b. If you have a concern or complaint, you can always speak to your parents and ask them to contact someone at the School on your behalf, unless circumstances make this impossible, when you could raise the complaint yourself.
- c. If you want to raise a concern or complaint yourself, it is best to start with the person who

is most concerned with that area of school life or who is most likely to be able to help.

For example:

- A House matter, speak to your Hms/Deputy Hms
  - Academic work, speak to Mrs Abrams/Mr Tuson
  - Pastoral, bullying, welfare, or well-being, speak to your Hms, the Medical Centre, the Safeguarding Team, a member of the Senior Leadership Team, the Deputy Heads or the Head.
  - Behaviour or actions of a member of staff, speak to a senior member of staff – a member of the Senior Management Team, the Deputy Heads or the Head.
- d. If your complaint relates to boarding provision, please see below. The process is also set out on your *House Notice Board*.
- e. Complaints will be resolved either to the satisfaction of the person complaining, or with an otherwise appropriate outcome which balances the rights and duties of pupils.
- f. If you have made a complaint or suggestion in writing, we will contact you within **five working days** to respond to your concerns and explain how it is proposed to proceed.
- g. If the person you contact needs to discuss the matter with a colleague and consider it further before responding, then you will be given a date not more than **15 working days later** by which time you will receive a response.
- h. Pupils (including Boarders who complain about boarding provision) are NOT thought less of, punished or penalised in any way for making a complaint in good faith.
- i. Parents may make a complaint against the School as explained in the main Complaints Policy and Procedure.