



## **Culford School Complaints Procedure**

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## 1. General Summary of the Complaints Procedure

The aim of the Procedure is to produce a resolution that everyone involved can accept. The Procedure should be used as a mechanism for resolving issues in good faith and in a courteous manner. It should not be used:

- Where the complaint relates to an exclusion (which will be dealt with under the School's Suspensions, Exclusions and Required Withdrawal Policy).
- In respect of child protection allegations (which will be dealt with in accordance with the School's Safeguarding Policy and Procedures).
- Where the complaint is against the decision of an external agency or third party such as an examination board or higher education institution (in such cases, parents will be advised on the appropriate route for their complaint and, where possible, given information and advice about how to progress their complaint).
- To delay or avoid payment of any sum (including fees or fees in lieu) due under the School's parent contract agreed to by parents upon enrolment of their child at the School (the "Parent Contract").
- By pupils to raise concerns (these should be raised by a pupil with their tutor, Head of Year or Housemaster/mistress and if a pupil is unhappy with the outcome, their parent(s) can raise a complaint under this Procedure).
- In an abusive or threatening manner or in a way that is vexatious.
- To re-open a complaint on a matter in respect of which the process set out in the Procedure has already been exhausted.
- To make a complaint about services provided by other providers who may use the School's premises or facilities (parents should follow the external provider's own complaints procedure).

### Parents should also be aware that:

- If multiple complaints are received from parents within the School that are all based on the same subject, the School may decide to send a uniform response to all complaints or to publish a single response on the School's website.
- Requests for financial awards, such as claims for compensation, damages or fee refunds, are beyond the scope of this Procedure.
- If a complaint involves an allegation against a staff member or another pupil, parents will not be entitled to details of any sanctions imposed on the staff member or pupil.
- Where a complaint involves questioning the judgement of a member of the School's staff, the role of any person considering that complaint will be to determine whether that individual's judgement was exercised fairly and reasonably and according to the School's policies and procedures. There may be more than one fair and reasonable response to a situation and a decision-maker at any stage will not normally substitute their decision for the decision of the staff member concerned.
- If a complaint ostensibly raised on behalf of a parent is raised via a method of communication previously unseen by the School (i.e. an email address that has not been provided as a contact method), the School may contact the relevant parent via known contact details to confirm that the complaint is genuinely made.

## 2. Introduction

Culford School has long prided itself on the quality of the teaching and learning, boarding and pastoral care, the breadth of opportunity provided to its pupils and the relationship it has with parents. 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.

The 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.

We welcome suggestions and comments from parents. Parents who have concerns or suggestions are encouraged to bring them to the School's attention as soon as possible. We would like parents to have the confidence to be open with us. It is the School's policy that the investigation of any concern should not rebound adversely on a pupil. Parents can be assured that their concerns will be treated in a confidential manner and with respect.

The School recognises and acknowledges the right of every parent to have their concerns fully considered. We aim to collaborate with all parents in the best interests of the children and young people in our care.

The School believes and works on the basis that, in the interests of everyone involved, parental complaints and concerns are almost always best dealt with in a timely manner and through an informal process not least because in most cases families and the School will need to continue to work together.

Accordingly, as a general principle, the School will usually seek to address all parental complaints informally in the first instance but will take into account any parental representations in this regard. However, the School will determine the appropriate level at which a parental complaint or concern will be considered and reserves the right to escalate a complaint to a higher level, or consider a complaint at a lower level, if appropriate.

As a guide, a complaint may be treated as a formal complaint, under Stage 2 of the complaints procedure, without going through the informal process first, if the School considers that the complaint contains allegations that are serious and/or complex and/or are against senior members of staff and/or if the School considers that the nature of the complaint otherwise warrants a formal investigation from the outset. The School reserves the right to appoint or nominate a third-party investigator where it deems necessary for reasons of capacity or complexity.

This policy has been written with due regard to the Education (Independent School Standards) Regulations 2014 and the Department for Education's National Minimum Standards for Boarding Schools (reviewed 2022).

In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, Culford 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. These procedures and those for pupils have regard to Standard 14 of the National Minimum Standards for Boarding Schools.

The School will be mindful of its obligations under the Equality Act 2010 in the application of this policy.

Although the School endeavors to manage complaints in an open and transparent manner, parents should be aware that there may be circumstances which mean the School is unable to share complete details about how a complaint has been handled by the School, the evidence collated, steps taken in response or other related matters. This could be the case even when a complaint is upheld. For example, this may be because such information constitutes sensitive third-party data (for example belonging to a staff member, pupil or other parent), legal or regulatory requirements prohibit disclosure, or withholding information is in accordance with specific instructions from a statutory agency. This list is not exhaustive.

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.

### **3. The Scope of this Policy and What Constitutes a Complaint?**

A complaint, for the purposes of this Policy, 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.

Within this policy, “parent(s)” means the holder(s) of parental responsibility for a current pupil about whom the complaint relates.

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.

Separate procedures apply to parents wishing to ask for a Governor review of a decision taken by the Head to exclude or require the removal of a pupil, a right set out in the School’s Terms and Conditions. The right to appeal and review does not extend to other sanctions such as detentions or suspensions (whether pending an investigation or a sanction). These procedures are in the Suspensions, Exclusions and Required Withdrawal Policy and are available on the School website or on request from the School Office.

Separate procedures apply in the event of a complaint about a child protection/safeguarding matter. Complaints about child protection/safeguarding matters are handled in accordance with the School’s Child Protection (Safeguarding) Policy and relevant statutory guidance.

The School will not usually investigate anonymous complaints. However, the Head and/or the Chair of Governors will determine whether a complaint may be investigated by considering whether it warrants an investigation, whether it can be investigated generally and whether anonymity can be maintained. If deemed necessary, it may then be investigated in accordance with this policy.

#### 4. Management of Complaints

The School operates a three-stage complaints procedure which is set out below:

- Stage 1: Informal resolution.
- Stage 2: A formal complaint in writing.
- Stage 3: A request for a complaints panel hearing.

Further details of the procedures for each stage of the complaints procedure are set out in the appendices of this policy.

The School acknowledges that there may be rare occasions where the School considers it necessary and reasonable, according to the individual circumstances of the complaint, to depart from the School's complaints procedure. This may include not doing something that the procedure states the School will, should or may do. The School will document this, and the reasons for this, and inform the parents of the same as soon as practicable. Where possible the agreement of the complainant will be sought to any such variation.

#### 5. Timeframe for Dealing with Complaints

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

Unless there are exceptional circumstances and in the interests of a prompt resolution and a full and fair investigation, initial complaints must be raised within two calendar months of an issue first arising. A complaint raised outside of this timeframe should therefore include details of the reason(s) for any such delay, it will then be at the School's discretion as to whether to accept the complaint or not.

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 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 and half term.

The School's term dates are published on the School's website. Accordingly, complaints that are raised in the School holidays will usually be deemed to have been received on the first working day after receipt. Complaints continuing to progress during School holidays may take longer to resolve due to the non-availability of relevant staff. The School will take reasonable steps to limit any such delay where practicable.

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.

It may be necessary to delay or suspend an investigation where external agencies are involved, such as the police, the Teaching Regulation Agency (TRA), the Independent Schools Inspectorate (ISI) and/or where parents begin legal action against the School in relation to the complaint. The Head or Chair of Governors, as applicable, will consider whether or not to suspend the complaints procedure until the legal proceedings, or other statutory agencies' involvement, have been concluded. In doing so, the Head or the Chair of Governors, as applicable, will take into account advice from appropriate external agencies, and its legal advisers, as appropriate.

## **6. Persistent and Unreasonable Complaints and/or Correspondence**

It is the School's intention to deal with concerns raised under this policy fairly, and work with parents constructively towards resolving concerns.

As concerns and complaints will be dealt with confidentially and often relate to children and may often involve the legal rights of third parties such as staff and other pupils, complaints should not be discussed publicly, including via social media.

Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, this will be regarded by the School as vexatious and outside the scope of this procedure.

Whilst the School will not normally limit the contact complainants have with the School, or dismiss a complaint as unreasonable, the circumstances in which the School may do so are set out in Appendix 4 of this Policy. Appendix 4 is based on the Department for Education's *'Best practice guidance for school complaints procedures'* (2020, reviewed 2021).

## **7. Conflicts of Interest**

Any persons, including staff and Governors, who have a potential or actual conflict of interest must not take part in the complaints process. If the conflicted party is the Head, the complaint will be dealt with by one or more Governor(s), or a suitable third-party investigator nominated by the Chair of Governors. A conflict of interest may arise in a number of ways, such as where the complainant is also a member of staff or Governor, or where the complainant and/or the subject of the complaint is related to or has a close personal relationship with a member of staff or Governor.

Subject to the above, the School generally considers that Governors with no prior exposure to the complaint are suitably impartial.

## **8. 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 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 (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:

- 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 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 Retention of Records 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 (e.g. in response to a subject access request) which prevails over the requirement to maintain the records as confidential.

For the academic year 2024-25 the School received six formal complaints.

## 9. EYFS

Parents of EYFS pupils (Nursery, Pre-Reception and Reception classes) 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. The School will notify the parents about the outcome of the investigation into their complaint within 28 days from the date the complaint was received.

Culford 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 Retention of Records Policy.

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

**ISI** can be contacted on 0207 600 0100 or by email: [info@isi.net](mailto:info@isi.net) ISI, CAP House, 9-12 Long Lane, London EC1A 9HA

**Methodist Independent School Trust (MIST)** can be contacted on 0207 935 3723 Methodist Schools, 27 Tavistock Square, London, WC1H 9HH  
Email: [admin@methodistschools.org.uk](mailto:admin@methodistschools.org.uk)

## **Appendix 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 tutor, Head of Department, Head of Year or Housemaster/mistress. If the tutor, Head of Year or Housemaster/mistress cannot resolve the matter alone it may be necessary for them to consult a member of the Senior Leadership Team.

Complaints made directly to a member of the Senior Leadership Team or Head will usually be referred to the relevant tutor, Head of Department, Head of Year or Housemaster/mistress unless the member of the Senior Leadership Team or Head deems it appropriate for them to deal with the matter personally.

The tutor, Head of Department, Head of Year or Housemaster/mistress 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 15 working days or in the event that the tutor, Head of Department, Head of Year or Housemaster/mistress 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 the complaint is against the Head of Pre-Prep or Prep, parents should make their complaint directly to the Head of Culford School. If the complaint is against the Head of Culford School, parents should make their complaint directly to the Chair of Governors whose contact details are on the website and available from the School Office on request.

## **Appendix 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 of the Pre-Prep, Prep or Senior School as appropriate. The Head may require further information from the parents to help clarify the scope and nature of their concerns. The Head may, in some circumstances, deem it appropriate to nominate a staff member to hear the complaint and manage the Stage 2 complaint process. The Head (or their nominee) will decide, after considering the complaint, the appropriate course of action to take.

In most cases, the Head (or their nominee) will meet with or speak to the parents concerned, within 10 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 further investigations to be carried out. The Head (or their nominee) will determine who should carry out any investigation and this may be someone external to the School.

Written records will be kept of all formal meetings and interviews held in relation to the complaint.

Once the Head (or their nominee) 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 (or their nominee) will also give reasons for their decision. In most cases, the Head (or their nominee) will make their decision and provide the parents with reasons within 20 working days of the complaint being put in writing (or following the provision of any further clarificatory information about the complaint to the Head, if so requested).

If the complaint is against the Head of Pre-Prep or Prep, parents should make their complaint directly to the Head of Culford School. If the complaint is against the Head of Culford School, the complaint should be made to the Chair of Governors. The Chair of Governors will nominate someone to determine the complaint. The Stage 2 process described above will then be followed as if the references to the Head (or their nominee) is to the individual nominated by the Chair of Governors to determine the complaint against the Head.

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

### **Appendix 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 of Governors within 5 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 of Governors 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 Clerk of Governors, 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, one of whom shall be independent of the management and running of the School. The Complaints Panel will appoint one of the Panel members to act as the Chair of the Panel. The Clerk of Governors on behalf of the Panel, will then acknowledge the complaint within 5 working days and schedule a Hearing to take place within 20 working days.

If the Panel or Clerk 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 5 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 or friend. Legal representation will not be appropriate, and the companion should not be legally qualified. The identity of the companions should be confirmed to the Clerk as soon as possible and by no later than 2 working days before the Hearing. The Panel will decide whether it would be helpful for witnesses to attend.

A person will be appointed to take minutes of the Hearing on behalf of the School. This will usually be the Clerk of Governors. 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.

The School may audio record the Hearing for the purpose of creating accurate and comprehensive minutes to be subsequently agreed by the Panel and the parents. In accordance with data protection principles, the recording will be retained only for as long as is necessary for this purpose.

The parents and anyone accompanying them are entitled to take written notes for their own reference purposes but are not permitted to audio or video record the Hearing.

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 for the School to consider. Stage 3 Panels cannot require that any financial compensation is paid to parents or otherwise obligate the School to take particular steps.

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 Stage 2 decision-taker. 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.

#### **Appendix 4 Persistent and unreasonable complaints and/or correspondence**

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 and will take action to protect staff from behaviour which is abusive, offensive, harassing or threatening.

The School, in line with the Department for Education, defines unreasonable complaints as those which, because of the frequency or nature of the complainant's contact with the School, hinders the School's consideration of their complaint.

A non-exhaustive list of behaviours which the School may judge as unreasonable include the complainant:

- refusing to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refusing to co-operate with the complaints investigation process
- refusing to accept that certain issues are not within the scope of the complaints procedure
- insisting on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introducing trivial or irrelevant information which they expect to be taken into account and commented on
- raising large numbers of detailed but unimportant questions, and insisting they are fully answered, often immediately and to their own timescales
- making unjustified complaints about staff who are trying to deal with the issues, and/or seeking to have them replaced
- changing the basis of the complaint as the investigation proceeds
- repeatedly making the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refusing to accept the findings of the investigation into that complaint where the School's complaint procedure has been fully and properly implemented and completed
- seeking an unrealistic outcome

- making excessive demands on school 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
- using threats, intimidation or violence
- harassing or sexually harassing staff
- using abusive, offensive or discriminatory language
- knowingly providing falsified information or knowingly making a false complaint
- publishing unacceptable information on social media or other public forums.

Complainants should try to reasonably limit their communication with the School that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (by any method, including by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the Head will discuss any concerns with the complainant informally before dismissing a complaint as 'unreasonable'. This will usually be in consultation with the Chair of Governors.

If the behaviour continues, the School will write to the complainant explaining that their behaviour is unreasonable and ask 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 be reviewed after three months.

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

If a complaint is dismissed as 'unreasonable', the complainant may submit a written request for the Chair of Governors, or a Governor nominated by them, to consider, solely, whether the School's dismissal of their complaint was justified. Any such request must be made by the complainant within 10 working days of the communication of the decision to dismiss their complaint and be addressed to the Clerk to the Governors. The complainant must set out the grounds for their request.

The Chair of Governors, or their nominee, will consider any such requests on written evidence only and will usually provide the outcome to parents within 15 working days.