St Mary's School
CAMBRIDGE

Complaints Policy and Procedure

This policy is the responsibility of the Head.

Last review: October 26

Next review: September 27

Introduction

The St Mary's School ('School') Complaints Policy and Procedure ('this Policy') applies to complaints from the parent/s of all current pupils (including those in the Early Years Foundation Stage setting, Sixth Form and boarders) and to parent/s of former pupils if the complaint was raised while the pupil was registered at the School. The School has a separate procedure for complaints by boarding pupils which is available in the Boarders' Handbook.

St Mary's 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.

St Mary's 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 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) Regulations 2014, St Mary's 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 7 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.

Although the School endeavours 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.

"Parent(s)" means the holder(s) of parental responsibility for a [current] [or prospective] pupil about whom the complaint relates.

Complaints

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 of a pupil is unhappy and seeks action is classified as a complaint and is subject to this Policy. 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.

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.

As concerns and complaints will be dealt with confidentially, complaints are not to be discussed publicly, including via social media. The School is here for your child and you can be assured that your child will not be penalised for a complaint that you, or your child, raise in good faith.

Data Protection complaints

There is a specific legal framework and timeline for dealing with complaints relating to data protection matters. Where parental complaints are about data protection issues, the School will ensure it complies with the statutory requirements for responding to such complaints.

The Complaints Procedure – Three Stage Process

Stage 1: Informal Resolution of a Complaint

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

If parents have a complaint, they should normally contact their daughter's Form Tutor/Class teacher or Head of Year. In most cases the matter can be resolved quickly to the satisfaction of the parent. If the Form Tutor/Class teacher or Head of Year cannot resolve the matter alone it may be necessary to consult with a Head of Department, Deputy Head or the Head.

Complaints made directly to the Head of Department, Deputy Head or the Head will usually be referred to the relevant member of staff unless the Head of Department, Deputy Head or the Head deems it inappropriate for them to deal with the matter personally.

If the parent/s of a Pre-school or Reception class child have a complaint concerning their child's welfare or other complaint they should contact the Class teacher, in the first instance. The Head of Juniors is informed. Parents of Early Years Foundation Stage (EYFS) pupils should note the additional EYFS requirements at the end of this Policy under EYFS.

The member of staff will make a written record of concerns and complaints and the date on which they were received. An informal complaint provided in writing will be acknowledged by telephone, email or letter within two working days of receipt during term time and as soon as practicable in the school holidays. A matter raised orally will not necessarily be acknowledged in writing.

Should the matter not be resolved within **10 working days** or in the event that a satisfactory resolution is not reached, then parents will be advised to proceed with their complaint in accordance with Stage 2 of this Complaints Procedure. Where circumstances result in a delay so that the matter cannot be resolved within 10 working days, the parent/s will be notified of this and the action being taken and likely timescale for a response.

If the complaint is against the Head, parents should make their complaint directly to the Chair of Governors who will follow the procedure set out in stage 2 of this Policy. If the complaint is against the Head of Juniors, parents should make their complaint to the Head, who will follow the procedure set out in stage 2 of this policy.

Contact details for the Chair of Governors are listed on the School's website.

Stage 2: Formal Complaint

If the complaint cannot be resolved on an informal basis then the parents should put their complaint in writing to the Head. The Head may require further information from the parents to help clarify the scope and nature of their concerns.

The complaint will be acknowledged by telephone, email or letter within 2 working days during term time, and as soon as practicable during the holidays, indicating the action that will be taken and the likely timescale. The Head will ask a senior member of staff to act as Investigator. The Investigator may request additional information from the parent/s and may wish to speak to them and others who have knowledge of the circumstances. The Head (or their nominee) will decide, after considering the complaint, the appropriate course of action to take.

In respect of data protection complaints, the timeframe may be different reflecting the particular requirements that apply in these circumstances.

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

The Investigator will prepare a report on the investigation which will be considered by the Head. 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 by telephone, e-mail or letter and the reasons for it. 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). Where circumstances result in a delay, the parent/s will be notified of this and the action being taken and likely timescale for a response.

If the complaint is against the Head, 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.

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 Governing Body within **5 days** of receiving the decision at Stage 2, setting out their grounds of appeal. The request will only be considered after the procedures at Stages 1 and/or Stage 2 have been completed. 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 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 to the 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 Chair of Governors will appoint one Panel member to act as Chair of the Panel. The Clerk to the Governors, on behalf of the Panel, will then acknowledge the complaint within **5 working days** and schedule a hearing to take place within **20 working days**.

If the Panel or convenor/clerk to the Panel deems it necessary, they may require that further particulars of the complaint or any related matter be supplied in advance of the hearing or further investigation be carried out. Copies of such particulars shall be supplied to all parties not later than **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, teacher or friend. Legal representation will not be appropriate and the companion should not be a lawyer. The identity of the companions should be confirmed to the Clerk to the Governors 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 note-taker will attend the hearing to take a note. 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 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.

If assistance with the request is required, for example because of a disability, the parent/s should inform the Clerk to the Governing Body of this who will seek to assist.

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 any 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.

Any complaint about a decision taken by the Head to exclude or require the removal of the pupil under clause 7 of the School's Terms and Conditions will be governed by this Stage 3 of the School's Complaints Procedure. There may be circumstances in which the School consider it necessary and appropriate to deviate from the Stage 3 procedure in the context of appeals for exclusion and required removal, and the School will inform the parents of this. In such circumstances, the Panel may only uphold the complaint and ask the Stage 2 decision-taker 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.

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 30 working days**. Stage 3, the Appeal Panel Hearing, will be held **within a further 20 working days**, with the outcome of the hearing communicated within **5 working days.** There may be exceptions to this target in certain circumstances, for example where agreed by the parties or where a specific statutory timeframe applies.

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. 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.

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 will be regarded by the School as vexatious and outside the scope of this procedure.

Recording Complaints and use of personal data

Following resolution of a complaint, the School will keep a written record of all complaints, whether they are resolved at the informal stage (Stage 1), 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).

A written record of complaints and their outcome is kept for regular review by the Head and the Governing Body.

The School processes data in accordance with its Privacy Notice. 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/or *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 and Retention Guidelines.* 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.

A complaint about the fulfilment of the School's Early Years Foundation Stage (EYFS) requirements will be made available to Ofsted and the Independent Schools Inspectorate on request.

For the academic year 2025-2026, the School received 3 formal complaints.

EYFS

Parents of EYFS pupils should follow the three stages of this Complaints Procedure. If parents remain dissatisfied and their complaint is about the School's fulfilment of the EYFS requirements, then parents may take their complaint to the ISI or Ofsted. 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.

The School will provide the Independent Schools Inspectorate (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 Data and Retention guidelines.

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 (see contact details below).

Ofsted

Ofsted can be contacted on 0300 123 1231, or by e-mail enquiries@ofsted.gov.uk

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

Independent Schools Inspectorate (ISI)

ISI can be contacted on 020 7600 0100 or by e-mail: info@isi.net

Address: Independent Schools Inspectorate (ISI), CAP House, 9-12 Long Lane, London, EC1A 9HA