



St Mary's School
CAMBRIDGE

Complaints Policy and Procedure

This policy is the responsibility of the Head.

Last review: September 2024

Next review: September 2025

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.

This Policy is made available to the parent/s of pupils and prospective pupils on the School website. A copy can be obtained from School on request.

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.

The School aims to ensure that any complaint is managed sympathetically, efficiently, at the appropriate level and resolved as soon as possible. We will try to resolve every complaint and, where necessary, we will review our procedures in light of the circumstances of the complaint.

Parents are encouraged to bring any complaint/s to the School's attention as soon as possible after any incident/issue arises. Parents and pupils should never feel that making a complaint will adversely affect a pupil or their opportunities in the School.

We aim to resolve any complaints in a timely manner. Timescales for each stage are set out below in the relevant paragraphs. When we refer to 'working days', we mean Monday to Friday, when School is open during term time. The dates of terms are published on the School's website. Any complaint received near to

the end of a term or half term or in the School holidays is likely to take longer to resolve owing to the intermittent availability of staff who may be required for any investigation to be undertaken properly.

Separate policies/procedures apply in the event of a child protection issue.

References to 'the Head' or 'Deputy Head' in this Policy means the Head or Deputy Head of the relevant school.

The Complaints Procedure – Three Stage Process

Stage 1: Informal Resolution of a Complaint

If parents have a complaint, they should normally contact their daughter's Form Tutor or Head of Year. In most cases the matter can be resolved quickly to the satisfaction of the parent. If the Form Tutor 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 the matter to be dealt with informally at that level.

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 Deputy Head 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 receiving the complaint will make a written record of what it concerned and the date on which it was 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.

The School aims to resolve any informal complaint within five working days of receipt. A parent who is dissatisfied with the response should put the complaint in writing in accordance with Stage 2 of this Policy.

If the complaint is about 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.

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

Stage 2: Formal Complaint

Parents should put their complaint in writing to the Head if a parent is dissatisfied with the response to the complaint under stage 1. Full details and all relevant documents should be sent to the Head. The Head will decide, after considering the complaint, the appropriate course of action to take. It should be noted that while all formal complaints are made in writing, not all written complaints are formal complaints.

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. Written records will be kept of all 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. The outcome of the investigation will be reported to the Head. Once the Head (or their nominee) is satisfied that, so far as is practicable, all of the relevant facts have been established, the Head will reach a decision

and notify the parent/s by telephone, e-mail or letter of the decision and the reasons for it. The Head will aim to inform the parent/s within 20 working days from the receipt of the complaint of the outcome of the investigation. 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.

Written complaints about the fulfilment of the EYFS requirements will be investigated and the parent/s notified of the outcome of the investigation within 20 days of receipt of the complaint. Complaints made during School holidays should be sent to the Head of Juniors.

If parents are dissatisfied with the decision, the parents can request the complaint is referred to the Complaints Panel under Stage 3 below.

If the complaint is against the Head, the Chair of Governors will require a report from the Head and will ask for disclosure of all the relevant documents. The Chair will nominate someone to determine the complaint who may also interview any relevant members of staff and will in most cases speak to or meet with the parent/s to discuss the matter further. Once the Chair is satisfied that, so far as is practicable, all relevant facts have been established, the Chair will reach a decision and notify the parent/s by telephone, e-mail or letter of the decision and the reasons for it. The Chair of Governors will aim to inform the parent/s within 20 working days from the receipt of the complaint of the outcome of their investigation. If a parent is dissatisfied with the Chair of Governor's decision the parent/s can request the complaint is referred to the Complaints Panel under Stage 3 below.

Stage 3: Panel Hearing

The parent/s may request a Complaints Panel Hearing; this request should be made in writing to Clerk to the Governing Body within seven days of the decision complained of. The request will only be considered after the procedures at Stages 1 and/or Stage 2 have been completed.

A Complaints Panel hearing (Hearing) is a review of the decisions taken at Stage 2 by the Head (or Chair of Governors where the formal complaint is about the Head). The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.

The role of the Panel is to establish the facts surrounding the complaints that have been made by considering the documents provided by the parent/s and School and any representations made by the parent/s and the Head. The Panel will reach a decision, on the balance of probabilities, as to whether each complaint is made out in whole or in part or if the Panel consider that the complaint is not made out, they will dismiss the complaint. It is not within the powers of the Complaints Panel to make any financial award, nor to impose sanctions on staff, pupils, or parents. The Complaints Panel may make recommendations to the School on these matters or any other issues as appropriate.

The written request should include:

- A copy of all relevant documents and full contact details.
- Details of all the grounds of the complaint and the outcome desired.
- Whether the parents propose to be accompanied at the Hearing.

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.

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 Governing Body 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.

Each of the Panel members will be appointed by the Chair of Governors. The Panel will consist of at least three persons not directly involved in the matters detailed in the complaint, one of whom is independent of the management and running of the School. The Board of Governors is mindful of DfE advice on the identity of independent Panel members.

The Clerk to the Governing Body, on behalf of the Panel, will acknowledge the request for a Hearing within 5 working days and notification of the date, time and location of the Hearing and the composition of the Panel will be provided as soon as practicable and, in any event, at least five working days before the Hearing. The Hearing will be scheduled to take place within 15 working days of receipt of the request. However, parents should note that the Complaints Panel will not normally sit during half term or School holidays.

Copies of any additional documents the parent/s wish the Complaints Panel to consider should be sent to the Clerk to the Governing Body to be received at least five working days prior to the Hearing. The Clerk to the Governing Body will circulate a copy of the bundle of documents to be considered by the Panel to all parties at least three working days prior to the Hearing.

The parents may be accompanied to the hearing by one other person. 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. The Hearing is not a legal proceeding and so legal representation is not necessary. If the parent/s do wish to be accompanied by a legally qualified person, the Clerk to the Governing Body should be informed of this at least three working days prior to the Hearing. This person will not be permitted to act as an advocate or to address the Hearing unless invited to do so by the Chair of the Panel.

A Hearing will take place unless the parent notifies the Clerk to the Governing Body in writing that they are satisfied with the outcome at Stage 1 and/or 2 and do not wish to proceed to a Hearing. A Hearing will take place if the parent decides not to attend. It will consider the complaint in their absence and issue findings on the substance of the complaint with a view to bringing the matter to a conclusion.

The Hearing

The Hearing will be conducted in an informal manner. 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.

The parties shall have the opportunities to ask questions and to make comments in an appropriate manner. The Panel may hear evidence from witnesses and/or may take written statements into account but is under no obligation to do so. 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 recorded in the minutes.

The Chair may, at their discretion, adjourn the Hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.

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

When the Chair of the Panel considers that all the issues have been sufficiently discussed, they will conclude the Hearing.

If possible, the Panel will resolve the parent/s' complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.

After due consideration of the merits of the complaint and all facts they consider relevant, **the Panel will make findings as to whether or not the Stage 2 decision was a reasonable one and decide whether to:**

dismiss the complaint(s) in whole or in part;

uphold the complaint(s) in whole or in part; and

make recommendations.

The decision, findings and any recommendations will be confirmed in writing to the parent/s and, where relevant, the person complained about, within five working days of the Hearing (although additional time may be required if it is necessary to carry out further investigations following the hearing). 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. The decisions, findings and any recommendations will also be available for inspection on the School premises by the Governing Body and the Head. The decision of the Panel will be final, and the completion of Stage 3 concludes the School's Complaints Procedure under this Policy.

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. 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.

The parent/s can make a complaint to the ISI (or Ofsted in the case of a complaint concerning the EYFS setting) should they wish to do so, and the contact details are set out further below.

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 25 working days**. Stage 3, the Appeal Panel Hearing, will be completed **within a further 15 working days**.

Please note that, for the purposes of this procedure, **working days** refers to weekdays (Monday to Friday) during term time, excluding bank holidays and half term. This means that during School holidays it may take longer to resolve a complaint although the School will do what is reasonably practicable to avoid undue delay. It may also take longer to resolve a complaint during periods of significant disruption to School life or as a consequence of unavoidable staff absence, however deviation from the normal timescale for resolving a complaint during term time will only occur on an exceptional basis, and the School will take all reasonable steps to limit any such delay.

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.

Arrangements for Record Keeping

A written record is kept of all complaints and their outcome (whether they were resolved at Stage 1 (informal stage), the formal Stage 2 or proceeded to a Hearing (stage 3)). This record will detail the action taken by the School as a result of the complaint/s (regardless of whether or not they are upheld) and whether the complaint relates to the School's boarding provision. The number of formal complaints registered during the proceeding School year is posted on the School website and will be supplied to parent/s on request.

A written record of complaints and their outcome is kept for regular review by the Head and the Chair of Governors. Retention of records is in accordance with DfE guidance (as amended).

Recording Complaints and use of personal data

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 *Retention and Deletion Guidelines*.

Confidentiality

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 and Deletion 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.

EYFS

Parents of EYFS pupils should follow the three stages of this Complaints Procedure. If parents believe the School is not meeting the EYFS welfare and safety requirements they should discuss this with the class teacher, who will inform the Deputy Head. If the complaint is not resolved, the Head should be informed in writing and the complaint will be investigated and the complainant notified of the outcome within 20 days of the complaint being received. If parents are dissatisfied with the decision, the parents can request the complaint is referred to the Complaints Panel under Stage 3 below.

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 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 Retention and Deletion 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).

Complaints to Ofsted or the Independent Schools Inspectorate (ISI)

Although the School is inspected by ISI, an independent organisation which reports to the Government on schools, parent/s of pupils in the EYFS have the right to contact Ofsted, and/or ISI if they have a complaint that has not concluded to their satisfaction through the School's complaints procedure or if they believe that the School is not meeting the EYFS requirements.

All other parent/s have the right to contact ISI if they have a complaint that has not concluded to their satisfaction through the School's complaints procedure. It is expected that complaints made under this Policy will go through the School's complaints procedure before Ofsted or ISI is contacted.

Ofsted

Ofsted's helpline is 0300 123 1231, textphone 0161 618 8524 (EYFS) or e-mail enquiries@ofsted.gov.uk

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

Independent Schools Inspectorate (ISI)

Telephone: 020 7600 0100. Email: complaints@isi.net

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