

Including our Early Years Foundation Stage provision

## Complaints Policy & Procedure

<b>Authorised by</b>	resolution of the Board of Governors
<b>Date</b>	Autumn 2010 and versions to 2016
<b>Reviewed</b>	Autumn 2016 (1-0-1)
	Spring 2019 (1-0-2)
	Autumn 2019 (1-0-3)
	Summer 2022 (1-0-4)
	Autumn 2023 (1-0-5)
	Spring 2024 (1-0-6)
	Summer 2025 (1-0-7)
	Autumn 2025 (1-0-8)

### Introduction

**St Gabriel's takes pride 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 Gabriel's 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 St Gabriel's will ensure that parents of pupils and of prospective pupils who request it are made aware that this document is published or available and of the form in which it is published or available, and of the number of complaints registered under the formal procedure during the preceding school year. In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulation 2014, St Gabriel's 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 Principal to exclude or require the removal of a pupil 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.

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

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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 pupil about whom the complaint relates.

A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the School as a whole, about a specific department or about an individual member of staff, and any matter about which a parent is unhappy and seeks action by the School is within the scope of this procedure. A complaint is likely to arise if a parent believes that the School has done something wrong, failed to do something that it should have done or has acted unfairly.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. The School is here for your child and you can be assured that your child will not be penalised for a complaint that you raise in good faith. The School will be mindful of its obligations under the Equality Act 2010 in the application of this policy.

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.

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.

### Stage 1 - Informal Resolution

- It is hoped that most complaints and concerns will be resolved quickly and **on an informal basis**.
- If parents have a complaint they should normally contact their child's Form Tutor or Class Teacher. In many cases the matter will be resolved straightaway by this means to the parents' satisfaction. If this teacher cannot resolve the matter alone, it may be necessary to have further consultation with the Leadership team, Vice-Principal or the Principal.
- Complaints made directly to a member of the Leadership team, Vice-Principal or the Principal, will usually be referred to the relevant Form Tutor or Class Teacher unless they deem it appropriate to deal with the matter personally.
- The Form Tutor or Class Teacher or Head of School will make a written record of all concerns and complaints and the date on which they were received, a copy of which will be held centrally. An acknowledgement of such a complaint in writing will be acknowledged by telephone, email or letter within **two working days** of receipt during term time or within two working days of the first day of term or half term.
- If, however, the complaint is against the Principal, parents should make their complaint directly to the Chairman of Governors whose contact details are on the school website.

Should the matter not be resolved within 10 working days, **the parents will be advised to proceed with their complaint in accordance with stage 2** of this Procedure.

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### 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 Principal. The Principal may in some circumstances deem it appropriate to nominate a staff member to hear the complaint and manage the Stage 2 complaint process. The Principal (or their nominee) will decide, after considering the complaint (and if necessary, in conjunction with the Executive or Leadership teams), the appropriate course of action to take.
- Parents may use the appended Complaint Form to proceed to stage 2, but this is not mandatory.
- In most cases the Principal (or their nominee) will meet/speak to the parents concerned, normally **within two 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.
- The school will **keep written records** of all meetings and interviews held in relation to the complaint; a copy of which will be held centrally.
- Once the Principal (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 Principal (or nominee) will also give reasons for their decision. The School's aim would be to inform any complainant of the outcome of an investigation and the resolution to the complaint within **15 working days** from the receipt of the complaint. Please note that any complaint received within 15 working days of the end of term or half term is likely to take longer to resolve owing to the presence of school holidays and the unavailability of personnel and the aim would be to inform any complainant of the outcome of an investigation and the resolution to the complaint within 15 working days of the first day of term or half-term.
- If the complaint is against the Principal, 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 Principal (or their nominee) is to the individual nominated by the Chair of Governors to determine the complaint against the Principal.
- **Early Years Foundation Stage:** parents will be notified of the outcome of the investigation within 28 days of the complaint being received.
- **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 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. The school reserves the right to refuse permission for a complainant to use evidence that has been covertly obtained. 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

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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 and one of whom shall be independent of the management and running of the School. The Chair of Governors will appoint one Panel member to act as Chair of the Panel. The 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 deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing or further investigation be carried out. Copies of such particulars shall be supplied to all parties not later than 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 Panel 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.

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 Stage 2 decision taker, the Chair of Governors and the Principal. 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 Principal.

As a general principle, all parties will seek consent from other parties before recording conversations or meetings. Covert recording is not permitted.

Any complaint about a decision taken by the Head to exclude or require the removal of the pupil 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,

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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 Principal, that the Principal's decision to exclude or require the removal of the pupil was not a reasonable decision for the Principal 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 25 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. 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 may be regarded by the School as vexatious and outside the scope of this procedure. The school has a policy for managing serial and unreasonable conduct and complaints which can be provided upon request.

### **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 or proceed to a panel hearing 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 the details below and 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:

- Any completed complaint form
- Date when the issue was raised
- Name of parent
- Name of pupil
- Description of the issue
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name 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 panel hearing and the panel's written decision.

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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.

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 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.

### **Early Years Foundation Stage:**

Parents of EYFS children 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. Parents will be notified by ISI or Ofsted of the outcome of the investigation into their complaint within 28 days of the complaint being received.

The school will keep a written record of complaints and their outcome and will provide Ofsted and ISI 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 retained in line with the School's Privacy Notice and Data Protection Policy. Parents of EYFS children can contact OFSTED using the details below if they believe that St Gabriel's is not meeting the EYFS requirements.

### **Contacting Ofsted and/or ISI**

The School is inspected by ISI, an independent organisation which reports to the Government on schools. Parents have the right to contact ISI if they have a complaint. Ofsted and/or ISI will usually expect parents to have followed the School's formal complaints procedure before contacting them. However, you can report your concerns to Ofsted at Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD. General Helpline: 0300 123 1231; Textphone 0161 618 8524, [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

### **Contact details for ISI**

Independent Schools Inspectorate  
CAP House  
9 - 12 Long Lane  
London  
EC1A 9HA

Telephone: 020 7600 0100  
email: [info@isi.net](mailto:info@isi.net)

**For the academic year 2024-2025 the School received 1 formal complaint at level 2 or beyond.**

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## Appendix 1

### Formal Complaint Form

Please read the School's Complaints Policy and Procedure above 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 Principal or, if the complaint is against the Principal to the Chair of Governors.

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



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<b>The reason(s) that this was not a satisfactory resolution for you</b>
<b>What action(s) would you like the school to consider to resolve your complaint?</b>
<b>Signature(s):</b>
<b>Date:</b>
<b>School use</b>
<b>Stage in the complaints procedure (circle as appropriate):</b> 1       2       3
<b>Date acknowledgement sent:</b>
<b>By whom:</b>
<b>Complaint referred to:</b>
<b>Action taken:</b>
<b>Date:</b>

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Date	Version	Changes
Spring 2019	1-0-2	Removal of reference to printed calendar
Autumn 2019	1-0-3	Panel hearing will still be held if the parent does not exercise their right to attend
Summer 2022	1-0-4	Additional information about who can use this policy. Stage 2 form reference included, Principal's nominee can carry out further investigation Paragraph on persistent correspondence added Summary paragraph on time frame added Complaint form added to data paragraph Email addresses added for Ofsted and ISI Stage 2 – Formal complaint form added
Autumn 2023	1-0-5	Timescales reviewed A nominee of the CoG can carry out a Stage 2 complaint against the Principal Guidance can be made available on the conduct of a Panel Hearing Number of complaints updated
Spring 2024	1-0-6	Number of complaints updated
Summer 2025	1-0-7	Specification of adherence to Equality Act 2010 Provision for investigation by external person Details of who may accompany parent and stage 2 decision taker to panel hearing Clarification of notes taken during panel hearing Final decision of panel hearing to be circulated to Stage 2 decision taker Reference to managing Serial and Unreasonable complaints policy
Autumn 2025	1-0-8	Number of complaints updated Reference to use of complaints policy for Exclusion, Removal and Review circumstances Explanation of restrictions in sharing data