



St Mary's School  
CAMBRIDGE

# Complaints Policy and Procedure

*This policy is the responsibility of the Head.*

*Last review: September 2023*

*Next review: September 2024*

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## 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

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.

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 her 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 Pre-prep Co-ordinator 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 who 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 28 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 28 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 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 28 working days from the receipt of the complaint of the outcome of his/her 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 Executive officer 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 Executive Officer to the Governing Body of this who will seek to assist.

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 Executive Officer 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 Executive Officer of the Governing Body to be received at least five working days prior to the Hearing. The Executive Officer of 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. 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 Executive Officer of 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 Executive Officer of 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 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 his/her 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, he/she 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 all matters discussed at the Hearing, the Panel will reach a decision.

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. 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.

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.

## 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

Correspondence, statements, and records relating to complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under Section 108 or 109 of the 2008 Act requests access to them or where any other legal obligation, to which the School is subject, prevails. 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

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 Pre-prep Co-ordinator. 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 twenty-eight days of the complaint being received.

Parents may also contact Ofsted on 0300 123 1231 or 0300 123 4666 between the hours of 8.00 am to 6.00 pm, or Independent Schools Inspectorate on 020 7600 0100 if the complaint refers to the EYFS requirements.

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.**

## 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](mailto: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](mailto:complaints@isi.net)

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

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