



## 33a COMPLAINTS POLICY

**Applicable to the whole school including the EYFS**

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### **Review Arrangements:**

Date	Jan 2024
Review Date	Jan 2025
Ratified by Governors	March 2025

## 1 AIMS

To ensure that pupils' and parents' concerns are treated seriously and confidentially in accordance with set procedure (save where access is required to comply with the school's legal obligations or where disclosure is required in the course of inspection),

## 2 POLICY GUIDANCE

This policy refers to and complies with:

- DfE Best Practice Advice for school complaints procedures
- Part 7 The ISSRs: Manner in which complaints are handled.
- The Early Years Foundation Stage: Statutory Framework
- The Children's Act

## 3 POLICY AND PROCEDURE REVIEW

Policy and procedures are adjusted on an ongoing basis on receipt of guidance from DfE, ISI, ISA or local children's social care authorities, or as best practice requires. The Complaints Policy is formally reviewed annually by the Headmistress and approved by the Governors.

"Complaints" are not formally defined in the Regulations but, comprise both concerns and complaints. Any matter about which a parent of a pupil is unhappy and seeks action by the school will fall under the scope of this procedure. The school interprets the phrase to include any complaint by parents of current pupils, prospective parents and complaints by staff members. Complaints by parents of former pupils of the school or former staff members only fall within this policy if the complaint relates to events that occurred whilst the pupil or staff member was in attendance at/employed by the school, and the complaints process began during that time.

## 4 POLICY AVAILABILITY

Holland House Complaints Policy is available:

- On the HHS website
- From the school office

## THE 3 STAGE COMPLAINTS PROCEDURE

### 5.1. Stage 1 – Informal Resolution

- It is envisaged that the majority of complaints and concerns will be resolved quickly and informally.
- If parents have a complaint or concern, they should contact their child's form teacher or a relevant subject teacher to discuss the issue. The parents' concern will be acknowledged within **48 hours** whenever possible.
- It may be necessary for the relevant teacher to contact other members of staff to help with the complaint, for example, the DSL, the site manager for buildings and maintenance or cleaning concerns etc.
- The form teacher or relevant member of staff will make a judgment as to whether the matter should be referred to a senior member of staff for recording, and staff are encouraged to keep brief notes themselves as and when appropriate.
- Informal meetings can be held with the parent or member of staff on a one-to-one basis.
- Should the matter fail to reach a satisfactory resolution within **3 working days** of the complaint being acknowledged then the parent/teacher is advised to proceed with their complaint in accordance with Stage 2.

## 5.2. Stage 2 – Formal Resolution\*

- If a parent or staff member is not satisfied with the response to the complaint obtained in stage 1, they should write to the Headmistress.
- The Headmistress will contact the parent/teacher within **2 working days** to acknowledge the complaint and will decide on the appropriate course of action.
- The Headmistress will keep written records of all meetings and interviews.
- Once the Headmistress is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made, and the parent or staff member informed of the decision, in writing, normally within **5 working days**.
- If the parent or staff member is still not satisfied with the outcome they should proceed to Stage 3.

## 5.3. Stage 3 – Appeal Panel\*

- If a parent or staff member wishes to invoke Stage 3, they will need to write directly to the Chair of Governors via the School Office. The Chair of Governors will review all the details of the complaint, including any records kept and the decisions so far made.
- The Chair of Governors is responsible for appointing a Complaints Panel, made up of three people (two Governors and one person independent of the management and running of the school). The Governors on the panel hearing must not have had any prior involvement in the complaint.
- The DfE has provided the following guidance on the identity of an independent panel member:  
*"Our general view is that people who have held a position of responsibility and are used to analysing evidence and putting forward balanced arguments would be suitable. Examples of persons likely to be suitable are serving or retired business people, civil servants, heads or senior members of staff at other schools, people with a legal background and retired members of the Police Force might be considered."*
- The Chair of Governors will acknowledge the complaint and schedule a hearing to take place as soon as possible, normally **within 14 working days**.
- At the hearing, the parent(s) or staff member may be accompanied by one other person; in the case of a parent, this can be a friend or companion who can provide them with support, and in the case of a staff member, this can be a workplace colleague or trade union representative. Legal representation is not appropriate, and the panel may refuse any request for a companion who is also a legal professional.
- If the Panel deems it necessary, it may require further particulars of the complaint or any related matter to be supplied in advance of the hearing. Parents/Staff are also welcome to provide any further evidence that they wish to rely upon. Such information shall be supplied to all parties not later than **4 days** prior to the hearing.
- A written record of the hearing will be kept.
- After the hearing, the panel will consider whether further investigation is required, and if so, how that should be carried out.
- The panel hearing will proceed even if the parents/staff subsequently decide not to attend or reasonably engage with the process. In this case the Panel will consider the complaint and the associated process and documentation, and issue findings on the substance of the complaint, thereby bringing the matter to a conclusion.
- After due consideration of all facts they consider relevant, the Panel may:
  - dismiss the complaint in whole or in part
  - uphold the complaint in whole or in part
  - make recommendations, setting out the timeframes by which these must be complied with.

- These findings and recommendations are final and will be provided to the complainant. Where relevant, the findings and recommendations will also be passed to the person(s) complained about. A copy will be available on the premises for the Headmistress and Chair of Governors to inspect.
- The documents associated with the complaint will be kept for seven years.

Written complaints about the fulfilment of the EYFS requirements will be investigated in the same manner and the complainant notified of the outcome **within 28 days** of the receipt of the written complaint.

Parents can make a complaint to the ISI or Ofsted if they believe the School is not meeting requirements, including those regarding EYFS.

#### **Independent Schools Inspectorate**

CAP House  
9 - 12 Long Lane  
London EC1A 9HA  
**Tel: 020 7600 0100**  
[concerns@isi.net](mailto:concerns@isi.net)

#### **Ofsted**

The National Business Centre  
Piccadilly Gate, Store St.,  
Manchester, M1 2WD  
**Tel: 0300 123 4646**  
[enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

\* **timescales:** The timescales identified in this policy refer to calendar days and are relevant to term time only, subject to change in the school holiday periods. Should the complaint reach *Stage 3: Appeal Panel*, every effort will be made to find a suitable independent person and hold the hearing within the timescale denoted. However, delays may occur when this is not possible.

## **7. SERIAL OR PERSISTENT COMPLAINTS**

The school will do its best to address complaints, concerns or requests for information. However, there may be occasions when, despite all stages of the complaint procedure being followed, the person making the complaint remains dissatisfied, and may persistently make the same point, or requests that further reconsideration.

It is important to recognise that when the process above has been followed in full, and the complainant continues to send letters, emails or telephone calls making substantially the same points, the Chair of Governors will inform them in writing that the procedure has been completed and that the matter is now closed. If the complainant contacts the school again on the same issue, the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond.

## **8. UNREASONABLE COMPLAINTS**

The school is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

A complaint may be regarded as unreasonable when the person making the complaint:

- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);

- Refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed;
- Seeks an unrealistic outcome;

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone, in writing or electronically:

- maliciously;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as on social media websites and newspapers

## **9. COMPLAINTS LOG**

The school Complaints Log is limited to those complaints made in writing under the formal part of the procedure. The log will record whether the complaint was resolved following a formal procedure at Stage 2 or a panel hearing at Stage 3 of the procedure, and what action has been taken by the school as result of these complaints (regardless of whether they were upheld). The record of complaints must be made available to ISI or OFSTED on request.

Details of the number of Level 2 and above complaints for the academic year (but not any details about them) are available upon request from the school office.

## **10. RETENTION OF COMPLAINTS**

Formal complaints will be retained for 7 years unless relating to a Safeguarding issue.

Where there is a safeguarding angle, records concerning allegations of abuse must be preserved until the accused has reached normal pension age or for 10 years from the date of the allegation, if that is longer.