



**CRANLEIGH**  
EX CULTU ROBUR

# COMPLAINTS

## INTRODUCTION

**Circulation:** This policy is addressed to the Senior Management Team; to all members of the teaching and pastoral staff, including school medical staff and nursing staff; and to parents. This policy can be made available in large print or other accessible format if required and is made available to parents of pupils and parents of prospective pupils. The School will make other reasonable adjustments to enable complainants to access and complete this procedure, such as holding meetings in accessible locations. The policy is published on the School website; is available in hard copy on request; and a copy of the policy is available for inspection from the School office during a working day.

**Policy status:** The policy has been approved by the Headmasters of Cranleigh School and Cranleigh Prep School and by the Governing Body. It provides guidelines for handling complaints and is drafted to meet the School's responsibilities under the Education (Independent School Standards) Regulations 2014; the National Minimum Standards for Boarding Schools; the Education and Skills Act 2008; the Children Act 1989; the Data Protection Act 2018 and UK General Data Protection Regulation; and the Equality Act 2010.

**Aim:** The aim of this policy is to ensure that a complaint is managed sympathetically, efficiently and at the appropriate level, and resolved as soon as possible. Doing so is good practice, it is fair to those concerned and it helps to promote parents' confidence in our ability to safeguard and promote welfare and to help create a culture of safety, equality and protection.

We will try to resolve every concern in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing our systems and procedures in light of the circumstances. There may be occasions when it is necessary or reasonable to deviate from this complaints procedure if this is reasonable and justified. Complainants will be notified of the changes.

**Application:** Separate procedures apply if the Headmaster expels or removes a pupil and the parents seek a Governors' Review of that decision.

Separate procedures apply to concerns raised by boarders.

This policy applies to any expression of dissatisfaction however made about actions taken, or a lack of action, by the School where a parent seeks action by the School.

This policy applies to complaints from a parent or parents of current pupils and to a parent or parents of former pupils if the complaint was initially raised when the pupil was registered at the School. The School will not normally investigate anonymous complaints.

A parent, in relation to a child or young person, includes any person who is not a parent but who has parental responsibility, or who has care of the child.

If appropriate, the School will acknowledge that a complaint is upheld, wholly or in part. In addition, it may offer:

- An explanation;
- An admission that it could have been handled differently or better;
- An assurance that the School will try to ensure that the event complained of will not happen again and an explanation of the steps taken in this respect;

- An undertaking to review policies and/or procedures;
- An apology.

Requests for financial awards, such as claims for compensation, damages or fee refunds, are beyond the scope of the School's complaints procedures. All parents should be aware that regardless of the nature of a complaint and whether or not it is upheld, parents are not entitled to details of any related sanctions imposed on staff, pupils or parents for reasons of data protection and confidentiality.

**Three stages:** This policy describes a three-stage procedure:

- Stage 1: informal raising of a complaint
- Stage 2: a formal complaint in writing
- Stage 3: a reference to the Complaints Panel

**Timescales:** Timescales for each stage are set out below in the relevant paragraphs. When we refer to Working Days, we mean Monday to Friday, when the School is open during term time. The dates of terms are published on the School's website. In the event that the application of this definition is likely to introduce excessive delays, due to intervening School holidays, the School's approach is to take sensible and reasonable steps so as to minimise any hardship or unfairness arising from such delays.

- It is expected that the management of every complaint will progress in a timely manner.
- The School aims to resolve all complaints efficiently and promptly and parents are encouraged to bring any matter causing concern to the School's attention as soon as possible.
- Where there are exceptional circumstances resulting in a delay to the timescales for a stage of the complaints procedure, the School will notify the parents and inform them of the new timescales as soon as possible.

Whenever possible, a complaint should be raised within three months of the incident or where a series of associated incidents have occurred, within three months of the last of these incidents. The School will however consider complaints made outside of this time frame if exceptional circumstances apply. A complaint raised outside this timescale should therefore include details of the issues which led to the delay.

Complaints which are raised in the School holidays will usually be deemed to have been received on the first working day after receipt.

**Expected standards of behaviour:** Attention is drawn to the information included in Appendix 2 which is drawn from the Department for Education's (DfE) *practice advice for school complaints procedures 2021 and the DfE guidance Controlling access to school premises*.

**Training:** The School ensures that regular guidance and training is arranged on induction and at regular intervals thereafter so that staff and volunteers understand what is expected of them by this policy and have the necessary knowledge and skills to carry out their roles. The level and frequency of training depends on role of the individual member of staff. The School maintains written records of all staff training.

## MANAGEMENT OF COMPLAINTS

**Complaints Co-ordinator:** The Headmaster has appointed the Deputy Head (Complaints Co-ordinator) to be responsible for the co-ordination and administration of the Complaints Procedure. If the Complaints Co-ordinator is unavailable or is the subject of the complaint, his/her duties will be carried out by the Headmaster or another senior member of staff. The main responsibilities of the Complaints Co-ordinator are to:

- be the first point of contact while the matter remains unresolved and keep records
- co-ordinate the complaints procedures in school
- arrange assistance for parents who require this, for example, because of a disability
- maintain an on-going training programme for all school employees in relation to complaints
- monitor the keeping, confidentiality and storage of records in relation to complaints

- report regularly to the Headmaster and the Governing Body with respect to complaints

**Complaints Form:** A complaint notified to a member of staff may be noted, together with the action taken, on a standard form. A sample of the form is attached to this policy.

## STAGE 1: INFORMAL RESOLUTION OF A COMPLAINT

**Informal Complaints:** We expect that most complaints can be resolved informally without the need to use the formal stages of the complaints procedure. Examples might include a dissatisfaction about some aspect of teaching or pastoral care, or a billing error.

**Notification:** Please raise the complaint initially as follows:

- education issues - if the matter relates to the classroom, the curriculum or special educational needs, please speak or write to the Tutor, Head of Department or Housemaster/ Housemistress as appropriate;
- pastoral care - for matters outside the classroom or in the House, please speak or write to the Housemaster or Housemistress or Deputy Head;
- disciplinary matters - a problem over any disciplinary action taken or a sanction imposed should be raised first of all with the Housemaster/Housemistress or Deputy Head;
- financial matters - a query relating to fees or extras should be stated in writing to the Director of Operations.

**Acknowledgement:** An informal complaint will be acknowledged by telephone, e-mail or letter within three working days of receipt, indicating the action that is being taken and the likely timescales. Such action may include an investigation and/or a meeting with the parent. A Complaints Form may be completed, and a copy sent to the Complaints Co-ordinator.

**Resolution:** Wherever appropriate, the School will ask the parent at the earliest stage what they think might resolve the issue. The parent will usually receive a response to the complaint within 15 working days.

**Unresolved concerns:** If the parent is dissatisfied with the response to the informal complaint or in the event that the complaint cannot be resolved by informal means, the parent may make a formal complaint under Stage 2 of this procedure set out below.

**Complaints about the Headmaster:** The procedure for dealing with an informal complaint about the Headmaster is set out below:

- Parents may choose to raise complaints directly with the Headmaster if they feel that the matter is capable of resolution informally. The complaint may be raised orally or in writing - if in writing, the School will not automatically treat the complaint as a formal (Stage 2) complaint and the Headmaster will endeavour to resolve the complaint informally under Stage 1.
- The Headmaster will acknowledge informal complaints within three working days and will seek to resolve the matter under this Stage 1 by means of direct conversation or a meeting with the parents, to be held within 15 working days of the initial complaint.
- If the parent is dissatisfied with the Headmaster's response to the informal complaint or in the event that the complaint cannot be resolved by informal means, the parent may make a formal complaint under Stage 2 of this procedure as set out below.

Alternatively, parents may choose to make their complaint about the Headmaster in writing to the Chair of Governors via the Clerk to the Governors. In this case, the complaint will be treated as a formal complaint under Stage 2 of this procedure as set out below.

**Complaints about the Governors:** Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governors via the School office. Please mark them as Private and Confidential.

## STAGE 2: FORMAL COMPLAINT

**Notification:** Complaints will usually only progress to Stage 2 after first being considered at the informal stage and only then if the parent indicates that they intend to escalate a matter to the formal stage. The formal complaint must be set out in writing with full details of the grounds of complaint and who it has previously been raised with and the outcome desired together with any relevant documents and full contact details in an envelope addressed to the Headmaster or to the Complaints Co-ordinator. The complaint should be received within 15 working days from receipt of the response of the complaint at Stage 1 and will be acknowledged by telephone or in writing within three working days of receipt, indicating the action that is being taken and the likely time scale. A Complaints Form will be completed and sent to the Complaints Co-ordinator where appropriate.

**Investigation:** The subject matter of the complaint will be investigated in the most appropriate manner, which may include some or all of the following steps:

- Delegation of the investigation to a senior member of staff or third party;
- Involvement of one or more Governors;
- Request for additional information from the parent, including what they think might resolve the issue (if not already requested under Stage 1); and
- Request for a conversation and/or meeting with the parent personally and/or to others who have relevant knowledge of the circumstances to define the scope of the complaint and/or assist in the investigation.

Written records will be kept of all meetings and interviews held in relation to the complaint. Where the investigation has been delegated and conducted by a senior member of staff, he/she will prepare a report on the investigation which will be considered by the Headmaster. Personal data may be redacted and names anonymised or cyphered in line with data protection principles.

**Outcome:** The Headmaster will notify the parent by email or letter of his Stage 2 decision and the reasons for it within 20 working days from the receipt of the formal complaint.

If the parent is dissatisfied with the Headmaster's Stage 2 response to the complaint, the parent may request that the complaint is referred to the Complaints Panel under Stage 3 using the procedure set out below.

**Complaints about the Head:** The procedure for dealing with a formal complaint about the Headmaster is set out below:

- The complaint should be put in writing to the Chair of Governors (via the Clerk to the Governors). The complaint should include the same information referred to above.
- The Chair of Governors (via the Clerk to the Governors) will acknowledge the complaint by telephone, email or letter within three working days of receipt and indicate the action that is being taken and the likely timescale. Such action may include an investigation and/or a meeting with the parent. The parent will usually receive a response to the complaint within 20 working days.
- If the parent is dissatisfied with the response to the complaint, the parent can request that the complaint be referred to a Complaints Panel under Stage 3 using the procedure set out below.

## STAGE 3: REFERENCE TO THE COMPLAINTS PANEL

If a parent is dissatisfied with the Stage 2 response to the complaint, the parent can request a Complaints Panel Hearing.

A Complaints Panel Hearing (**Hearing**) is a Hearing to review those elements of the decision made at Stage 2 which the parent remains dissatisfied. The Complaints Panel is not obliged to consider any new areas of complaint at this stage.

**How to request a Hearing:** A request for a Hearing must be put in writing to the Clerk to the Governors and will usually only be considered if the Stage 2 Procedure has been completed. It is expected that the complaints procedure will progress in a timely manner and parents should make the request in writing, and within seven working days of receipt of the Stage 2 decision. This request should include:

- the complainant's name and full contact details;
- details of the aspects of the complaint about which the parents remain dissatisfied and the outcome desired;
- copies of any relevant documents which the parents would like the Complaints Panel to consider; and
- whether the parent wishes to attend the hearing and if so whether they propose to be accompanied to the hearing by someone who is legally qualified (see 'Attendance' section below).

If assistance with the request is required, for example because of a disability, please inform the Clerk to the Governors who will be happy to make appropriate arrangements.

The Clerk to the Governors will acknowledge the request for a Hearing in writing within four working days of receipt.

**Convening the Complaints Panel:** The Clerk to the Governors will convene the Complaints Panel as soon as reasonably practicable and every effort will be made to enable the hearing to take place within 15 working days of the receipt of the request. Parents may withdraw their request for a Hearing at any point up to and including the intended date of the Hearing. The Complaints Panel will comprise at least three individuals who have no detailed prior knowledge of the circumstances of the complaint, including at least one Panel member who is independent of the governance, management and running of the School. The parent may ask the Clerk to the Governors to inform them who has been appointed to sit on the Complaints Panel ahead of the Hearing. Fair consideration will be given to any reasonable objection to a particular member of the Panel.

**The role of the Complaints Panel:** The Complaints Panel's task is to establish the facts surrounding the complaints that remain in issue by considering:

- the documents provided by both parties and
- any representations made by the parties

and to review the decision reached at Stage 2, and to consider on the balance of probabilities, as to whether or not to uphold each complaint.

**Notice of hearing:** The Clerk to the Governors will send written notification to each party of the date, time and place of the hearing at least seven working days before the date of the Hearing.

**Documents:** Copies of additional documents that the parent wishes the Complaints Panel to consider should be sent to the Clerk to the Governors at least five working days prior to the hearing. The Clerk to the Governors will circulate a copy of the bundle of documents to be considered by the Complaints Panel to all parties at least three working days prior to the Hearing.

**Attendance:** The parent will be asked to attend the Hearing and may be accompanied by one other person such as a relative or friend. The Hearing is an internal proceeding, not legal proceedings, and legal representation is unnecessary. As set out above, the parent is required to notify the Clerk to the Governors if he/she wishes to be accompanied by a legally qualified person. The parent should note that the Complaints Panel will wish to speak to him/her directly. The legally qualified 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 Complaints Panel.

**Chair:** The Hearing will be chaired by one member of the Complaints Panel (chosen by themselves).

**Hearing:** Unless prior to the commencement of the Hearing, the parent confirms that they are satisfied with the outcome of their complaint, the Hearing will proceed notwithstanding that the parent may decide not to attend. In these circumstances, the Complaints Panel will consider the parent's complaint in his/her absence and issue findings on the substance of the complaint.

The Complaint Panel will usually hear representations from the Stage 2 decision-maker and the parent(s).

**Evidence:** The Chair will conduct the Hearing in such a way as to ensure that the parties have the opportunity of asking questions and making comments in an appropriate manner. The Hearing is not a legal proceeding and the Complaints Panel shall be under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account. All statements made at the Hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes. A clerk will be appointed to take a handwritten minute of the proceedings.

**Conduct:** All those attending the Hearing are expected to show courtesy, restraint and good manners. If they fail to do so and after due warning, the Hearing may be adjourned or terminated at the discretion of the Chair. 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 minuted.

**Adjournment:** The Chair may, at his/her discretion, adjourn the Hearing if he/she considers it appropriate to do so. This may include an adjournment for welfare reasons, to enable additional information to be obtained and/or considered for further investigation of any relevant issue or to take legal advice.

**Private proceeding:** A Hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statements relating to the complaint or any matter discussed in or arising from the proceeding shall be made available directly or indirectly to the press or other media.

**Concluding the Hearing:** When the Chair of the Complaints Panel is satisfied that sufficient consideration has been given to the documentation provided and any representations made by the parties, he/she will conclude the Hearing. The Chair will confirm to the parent that the Complaints Panel will consider the matters discussed at the Hearing and provide its findings and any recommendations in writing.

**Decision:** The Complaints Panel will make findings about each complaint on the balance of probabilities and may make recommendations. It is not within the powers of the Complaints Panel to make any financial award, nor to impose sanctions on staff, pupils, or parents, although the Complaints Panel may make recommendations. The Complaints Panel's findings and any recommendations will usually be provided in writing to the parent and, where relevant, any person complained about within seven working days of the Hearing. The decisions, findings and any recommendations including any actions taken to implement them will be made available for inspection on the School premises by the Governing Body and the Headmaster. Reasons for the Decision will be given.

The decision of the Complaints Panel is final. There will be no further opportunity within the School for consideration of the complaint. The completion of Stage 3 represents the conclusion of the School's Complaints Procedure.

## RECORD KEEPING AND CONFIDENTIALITY

All records created in accordance with this policy are managed in accordance with the School's policies that apply to the retention and destruction of records.

A written record will be kept of all complaints, and of whether they are resolved at Stage 2 or proceed to a Panel Hearing, including the action taken by the School as a result of the complaints (regardless of whether they are upheld) and whether the complaint relates to the School's boarding provision.

In accordance with data protection principles, details of individual complaints will be kept only for as long as is considered to be reasonably necessary in the circumstances. Complaints which do not have safeguarding implications will be retained for a minimum of seven years (a period determined by the six-year inspection cycle with allowance for unforeseen circumstances).

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under Section 108 or 109 of the Education and Skills Act 2008 requests access to them or under other legal authority or court order.

In accordance with data protection principles, details of individual complaints will be kept only for as long as is considered to be reasonably necessary in the circumstances.

The records created in accordance with this policy may contain personal data. The School has a number of privacy notices which explain how the School will use personal data about pupils and parents. The privacy notices are published on the School's website. In addition, staff must ensure that they follow the School's data protection policies and procedures when handling personal data created in connection with this policy. This includes the School's data protection policy.

**The Prep School received 3 formal complaints during the academic year 2021/2022.  
The Senior School received 4 formal complaints during the academic year 2021/2022**

**Last Reviewed: August 2022**

## Appendix 1: Complaints Form

This form (see separate sheet) is to be completed by any member of staff who receives a complaint or who wishes to make a complaint. It should be passed to the Complaints Co-ordinator

<b>What is the nature of the complaint? (Please tick)</b>	
<input type="checkbox"/> Staff conduct	<input type="checkbox"/> Parental conduct
<input type="checkbox"/> Teaching standards	<input type="checkbox"/> Pastoral care
<input type="checkbox"/> Condition of premises	<input type="checkbox"/> Time tabling
<input type="checkbox"/> Matters of regime and routine	<input type="checkbox"/> Access to or regulation of extra-curricular activities
<input type="checkbox"/> Other (please give details)	
<b>Please give details of your complaint</b>	
Date/s of incident	Time/s
<b>If you are complaining about someone's behaviour please give the names of any witnesses to the incident/s</b>	
<b>Action taken</b>	
Name	Position
Signed	Date

## **Appendix 2: Unreasonable complaints**

We are committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with us. 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.

We adopt the Department for Education definition of unreasonable complainants as those who, because of the frequency or nature of their contacts with the School, hinder our consideration of their or other people's complaints.

Unreasonable complaints are taken seriously by the School as they put a strain on valuable resources and hinder the progress of proper investigations. The School may judge that a complaint is unreasonable by assessing a number of factors, including those that are outlined below.

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

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- refuses to accept that certain issues are not within the scope of a complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- 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 our complaint procedure has been fully and properly implemented and completed;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

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

- maliciously;
- aggressively;
- 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 in social media or other public forums.

### **3 A complaint may also be considered unreasonable if it is manifestly unjustified, inappropriate, or an improper use of formal procedure.**

In assessing this, the School shall have regard to all the circumstances of the case and the nature of the complaint itself rather than the nature of the complainant. In assessing all of the circumstances of the case the School will consider a range of factors including:

- whether a complaint has reasonable foundation;

- the history and context of the complaint (and any evidence where relevant);
- whether the time and cost of investigating the complaint is proportionate to the issue(s) complained of;
- whether an investigation of the complaint is likely to cause a disproportionate or unjustified level of disruption, irritation or distress;
- unexplained delay in raising a complaint or issue;
- if the purpose of the complainant is to obtain an outcome which is unavailable via the complaints policy, such as a claim for compensation, damages or a refund of fees paid;
- any evidence of a complaint being brought for an improper purpose.

Whenever possible, the Headmaster and/or Chair of Governors will discuss any concerns with the complainant informally before dismissing a complaint as unreasonable.

For complainants who excessively contact the School causing a significant level of disruption, the School may specify methods of communication and limit number of contacts in a communication plan. This will be reviewed after 6 months.

In response to any serious incident of aggression or violence the School will immediately inform the police and communicate its actions in writing. This may include barring an individual from the School.

It is open to a complainant to request that a Complaints Panel be convened to determine the single issue of whether the School's dismissal of the complainant's original complaint(s) was justified.