



## COMPLAINTS PROCEDURE

Bishop's Stortford College has long prided itself on 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 College with care and in accordance with this Complaints Procedure. The College makes its Complaints Procedure available to all parents of pupils and of prospective pupils on its website and in each section of the College's Receptions during the school day. Bishop's Stortford College 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. The number of complaints registered under the formal procedure during the preceding school year is available from the Head's EA, by emailing [Headsea@bishopsstortfordcollege.org](mailto:Headsea@bishopsstortfordcollege.org). In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulation 2014, the College 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 College.

"Parent(s)" means the holder(s) of parental responsibility for a current pupil about whom the complaint relates.

### What Constitutes a Complaint?

A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the College 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 College is within the scope of this procedure. A complaint is likely to arise if a parent believes that the College 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. Bishop's Stortford College is here for their child and they can be assured that their child will not be penalised for a complaint raised in good faith.

### The Three-Stage Complaints Procedure

#### Stage 1 – Informal Resolution

- It is hoped that most complaints and concerns will be resolved quickly and informally.
- If parents have a complaint, they should normally contact their son/daughter's Form Tutor, Head of Year or Housemaster/Housemistress. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If that person cannot resolve the matter alone it may be necessary for them to consult a Head of department or Deputy Head.
- Complaints made directly to a Head of department, Deputy Head or Head will usually be referred to the relevant Form Tutor, Head of Year or Housemaster/Housemistress unless the Head of Department, Deputy Head or Head deems it appropriate for him/her to deal with the matter personally.
- The Form Tutor or Housemaster/Housemistress will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved within 5 working days or in the event that the Form Tutor or Housemaster/Housemistress and the parent (s) fail to reach a satisfactory resolution then parents or the College should proceed with the complaint in accordance with Stage 2 of this Complaints Procedure.
- If the complaint is against the Head of College, parents should make their complaint directly to the Chair of Governors whose contact details are available from the College Reception on request.

#### 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 Head. The Head will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Head will speak to the parents concerned, within 5 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 the Head, or their nominee, to carry out further investigations.
- The Head will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Head 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 Head will also give reasons for their decision. In most cases, the Head will make their decision and provide the parents with reasons within 15 working days of the complaint being put in writing. If the complaint is against the Head of College, the complaint should be made to the Chair of Governors. The Chair of Governors or their nominee will call for a full report from the Head of College and for all the relevant documents. The Chair of Governors or their nominee may also call for a briefing from members of staff, and will in most cases, speak to or meet with the parents to discuss the matter further. Once the Chair of Governors

or their nominee is satisfied that, so far as is practicable, all of the relevant facts have been established, the parents will be informed of the decision in writing. The Chair of Governors or their nominee will give reasons for their decision.

- If parents are still not satisfied with the decision, they may 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 College Bursar, as 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 Bursar, 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 Bursar, 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. This may be a relative, teacher or friend. Legal representation will not be appropriate. The Head shall also be entitled to be accompanied to the hearing by one other person if they wish. The Panel will decide whether it would be helpful for witnesses to attend.
- 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 all the facts they consider relevant, the Panel will make findings as to whether or not the Stage 2 decision was a reasonable one and accordingly decide whether to:
  - Dismiss the complaint(s) in whole or in part;
  - Uphold the complaint(s) in whole or in part; and
  - Make recommendations to the College either as the only action, or in addition to the actions above.
- 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 any 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 Chair of Governors and the Head. 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 Head.

### 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 College's target is to complete the first two stages of the procedure within 20 working days. Stage 3, the Appeal Panel Hearing, will be completed within a further 20 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 College holidays it may take longer to resolve a complaint although the College 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 College life or as a consequence of unavoidable staff absence, however deviation from the normal timescale for resolving a complaint during term time will only be permitted on an exceptional basis, and the College 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 may be regarded by the College as vexatious and outside the scope of this procedure.

### Recording Complaints and use of personal data

Following resolution of a complaint, the College will keep a written record of all complaints, whether they are resolved at the Stage 1 (informal stage), Stage 2 (the formal stage) or proceed to a Panel hearing (Stage 3) and any action taken by the School as a result of the complaint, regardless of whether the complaint is upheld.

Bishop's Stortford College processes data in accordance with its Privacy Notice [here](#) When dealing with complaints the College (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 College'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 College's *Data Protection Policy*.

Records of complaints and Complaints Panel hearings, will be kept as required by regulation and in accordance with the *Retention of Data Policy*. Complaints which do not have safeguarding implications will be retained for a minimum of 7 years. Where there is a safeguarding angle, records will be preserved at least until the accused has reached normal pension age or for 10 years from the allegation date, whichever is longer.

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 109 of the Education and Skills Act 2008 requests access to them.

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.

Bishop's Stortford College will provide 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 of Records Policy.

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:

Ofsted can be contacted on 0300 123 1231 or by email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

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

ISI can be contacted on 020 7600 0100 or by email: [concerns@isi.net](mailto:concerns@isi.net)

[ISI, CAP House, 9-12 Long Lane, London EC1A 9HA](#)