



Norfolk House School

Complaints Policy

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1. Aims

- 1.1. This is the Complaints Policy of Norfolk House School (**School**).
- 1.2. The aims of this policy are to:
 - 1.2.1. set out a clear and fair procedure for dealing with parental complaints.
 - 1.2.2. ensure that parental complaints are dealt with in a timely and thorough fashion.

2. Scope and application

- 2.1. This policy applies to the whole School including the Early Years Foundation Stage (**EYFS**).
- 2.2. It applies to all parents of pupils at the School. It applies to parents of past pupils only if the the complaint was initially raised when the pupil was registered at the School.
- 2.3. It does not apply to decisions taken by the Headmistress to exclude (temporarily or permanently) or require the removal of pupils from the School. This is covered by the Exclusion and Removal Review Procedure, a copy of which is available upon request.

3. Regulatory framework

- 3.1. This policy has been prepared to meet the School's responsibilities under:
 - 3.1.1. Education (Independent School Standards) Regulations 2014;
 - 3.1.2. *Statutory framework for the Early Years Foundation Stage* (DfE, Sept 2024);
 - 3.1.3. Education and Skills Act 2008;
 - 3.1.4. Children Act 1989;
 - 3.1.5. Childcare Act 2006;
 - 3.1.6. Data Protection Act 2018 and General Data Protection Regulation (GDPR);
and
 - 3.1.7. Equality Act 2010.

4. Publication and availability

- 4.1. This policy is published on the School website and in the Virtual Staffroom.
- 4.2. This policy is available in hard copy on request.

5. Definitions

5.1. Where the following words or phrases are used in this policy:

5.1.1. references to the **Proprietor** are references to the Board of Directors of Norfolk House School Limited;

6. Responsibility statement and allocation of tasks

6.1. The Proprietor has overall responsibility for all matters which are the subject of this policy.

6.2. To ensure the efficient discharge of its responsibilities under this policy, the Proprietor has allocated the following tasks:

Task	Allocated to	When / frequency of review
Keeping the policy up to date and compliant with the law and best practice	Deputy Head	As required, and at least termly
Monitoring the implementation of the policy, relevant risk assessments and any action taken in response and evaluating effectiveness	“ “ “	As required, and at least termly
Seeking input from interested groups (such as pupils, staff, parents) to consider improvements to the School's processes under the policy	“ “ “	As required, and at least annually
Formal annual review	Proprietor, Headmistress, Deputy Head	Annually

7. Introduction

7.1. The School 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 School with care and in accordance with this Complaints Procedure.

7.2. The School 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 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.

- 7.3. In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, the School 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.
- 7.4. 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.
- 7.5. 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.
- 7.6. The School will be mindful of its obligations under the Equality Act 2010 in the application of this policy.
- 7.7. 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 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.
- 7.8. "Parent(s)" means the holder(s) of parental responsibility for a [current] [or prospective] pupil about whom the complaint relates.

8. What constitutes a complaint?

- 8.1. 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
- 8.2. 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.
- 8.3. The School is here for your child and you can be assured that your child will not be penalised for a complaint that you [or your child] raise[s] in good faith.

9. Stage 1: informal resolution

- 9.1. It is hoped that most complaints and concerns will be resolved quickly and informally.
- 9.2. If parents have a concern they should normally contact their child's form teacher. In many cases the matter will be resolved at this point to the parents' satisfaction. If the form teacher cannot resolve the matter alone it may be necessary for them to consult a member of the Middle or Senior Leadership Teams.
- 9.3. Complaints made directly to the Headmistress or other senior members of staff will usually be referred to the relevant form teacher.
- 9.4. The form teacher will make a written record of all concerns and the date on which they were received.
- 9.5. Should the matter not be resolved within 10 working days or in the event the form teacher and the parent fail to reach a satisfactory resolution, the parents will be advised to proceed to Stage 2.
- 9.6. If the complaint is against the headmistress, the parents should make their complaint directly to the Chair of Directors whose contact details are available from the School Office on request.

10. Stage 2: formal resolution

- 10.1. If the complaint cannot be resolved on an informal basis, the parents should put it in writing to the Headmistress.
- 10.2. The Headmistress may require further information from the parents to help clarify the scope and nature of their concerns. The Head may in some circumstances deem it appropriate to nominate a staff member to hear the complaint and manage the Stage 2 complaint process. The Head (or their nominee) will decide, after considering the complaint, the appropriate course of action to take.
- 10.3. In most cases, the Headmistress (or her nominee) will meet with or speak to the parents concerned within 10 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 Headmistress (or her nominee) will determine who should carry out any investigation and this may be someone external to the School.
- 10.4. Written records will be kept of all formal meetings and interviews held in relation to the complaint.
- 10.5. Once the Headmistress (or her 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 Headmistress (or her nominee) will also give reasons for their decision. In most cases, the Headmistress (or her nominee) will make their decision and provide the parents with reasons within 20 working days of the complaint being put in writing (or following the provision of any further clarificatory information about the complaint to the Headmistress, if so requested).
- 10.6. If the complaint is against the Headmistress, the complaint should be made to the Chair of Directors. The Chair of Directors will nominate someone to determine the complaint. The Stage 2 process described above will then be followed as if the references to the Headmistress (or her nominee) is to the individual nominated by the Chair of Directors to determine the complaint against the Headmistress.
- 10.7. If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

11. Stage 3: panel hearing

- 11.1. If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they should do so in writing to the Chair of Directors 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.

- 11.2. 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 Chair of Directors 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 any extensions if agreed) the School reserves the right to conclude the complaint process and not progress the matter to Stage 3.
- 11.3. The Chair of Directors will convene a Complaints Panel to hear and determine the complaint. The Panel will consist of three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the School. The Chair of Directors will appoint one Panel member to act as Chair of the Panel. The Chair of Directors will then acknowledge the complaint within 5 working days and schedule a hearing to take place within 20 working days.
- 11.4. If the Chair of Directors deems it necessary, he 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.
- 11.5. 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 Chair of Directors 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.
- 11.6. 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 of the Panel. A copy of any comments on the notes will be appended to the notes.

- 11.7. The remit of the Panel shall be at the discretion of the Chair of Directors and the manner in which the hearing is conducted shall be at the discretion of the Panel.
- 11.8. 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.
- 11.9. 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
- 11.9.1. dismiss the complaint(s) in whole or in part;
 - 11.9.2. uphold the complaint(s) in whole or in part; and
 - 11.9.3. make recommendations for the School to consider. Stage 3 Panels cannot require that any financial compensation is paid to parents or otherwise obligate the School to take particular steps.
- 11.10. 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 Chair of Directors and the Stage 2 decision-taker. 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 Directors and the Headmistress.

12. Timeframe for dealing with complaints

- 12.1. 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 20 working days, and Stage 3 within a further 20 working days.
- 12.2. 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.

13. Persistent correspondence

13.1. Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, this will be regarded by the School as vexatious and outside the scope of this procedure.

14. Recording complaints and use of personal data

14.1. Following resolution of a complaint at Stage 2 or Stage 3, the School will keep a written record of it whether it is resolved at the formal stage (Stage 2) or proceeds 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).

14.2. The School processes data in accordance with its Privacy Notices (available on its 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:

- 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

- 14.3. This may include 'special category personal data' (as further detailed in the School's Privacy Notices, 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.
- 14.4. 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 Notices, Data Protection Policy and Retention of Records Policy. All records relating to complaints shall be treated as confidential. In addition to where requested by the Secretary of State or an inspector (see above), there may 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 (eg, in response to a subject access request) which prevails over the requirement to maintain the records as confidential.

15. Early Years Foundation Stage (EYFS)

- 15.1. Parents of EYFS pupils 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. The School will notify the parents about the outcome of the investigation into their complaint within 28 days from the date the complaint was received.
- 15.2. The School 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.
- 15.3. 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:
- 15.4. Ofsted can be contacted on 0300 123 1231 or by email: enquiries@ofsted.gov.uk. Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD
- 15.5. ISI can be contacted on 020 7600 0100 or by email: info@isi.net. ISI, CAP House, 9-12 Long Lane, London EC1A 9HA
- 15.6. Complaints about the fulfilment of the EYFS requirements will be investigated and the complainant notified of the outcome of the investigation within 28 days. The record of complaints will be made available to Ofsted and ISI on request.

16. Training

- 16.1. 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.
- 16.2. The level and frequency of training depends on role of the individual member of staff.
- 16.3. The School maintains written records of all staff training.
- 16.4. Staff will be trained to understand the types of disabilities and how to deal with pupils who are disabled. Staff will not be expected, unless medically qualified or trained, to administer medication.

17. Risk assessment

- 17.1. Where a concern about a pupil's welfare is identified, the risks to that pupil's welfare will be assessed and appropriate action will be taken to reduce the risks identified.
- 17.2. The format of risk assessment may vary and may be included as part of the School's overall response to a welfare issue, including the use of individual pupil welfare plans (such as behaviour, healthcare and education plans, as appropriate). Regardless of the form used, the School's approach to promoting pupil welfare will be systematic and pupil focused. Please see clause 6 for details of the individuals with responsibility for carrying out, monitoring, implementing and reviewing the effectiveness of risk assessments under this policy.

18. Record keeping

- 18.1. 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.
- 18.2. The information created in connection with this policy may contain personal data. The School's use of this personal data will be in accordance with data protection law. The School has published privacy notices on its website which explain how the School will use personal data.
- 18.3. The number of complaints registered under the formal procedure during the preceding school year is available from the School Office.

19. Version control

Date of adoption of this policy	January 2020
Date of last review of this policy	11.2.26
Date for next review of this policy	11.2.27
Policy owner (SLT)	Deputy Head
Policy owner (Proprietor)	Chair of Directors