



BURGESS HILL
— GIRLS —

Complaints Policy and Procedure (Whole School including EYFS)	33 a
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Responsible for Initiating Review of Policy	SLT
Committee to Review	SLT
Last Review Date	September 2024
Review Period	2 years
Approved by (Committee and Date)	SLT September 2024
Approved by Board of Governors	Autumn Term 2024
Effective Date of Policy	September 2024
Next Review Date	September 2026
Related Policies	All policies could be relevant to a complaint, in particular: Behaviour – Pupil Discipline and Exclusion Staff code of conduct SEND policies – senior and prep Safeguarding Admissions Curriculum

1.0 General Statement of Policy

Burgess Hill Girls and its Early Years Foundation Stage have long prided themselves on the quality of teaching and pastoral care provided for its pupils. However, if parents have a complaint they can expect it to be treated by the School in accordance with this policy and its associated procedure.

1.1 Aim: The aim of this policy is to ensure that a concern or complaint from a parent of a registered pupil at the School is managed sympathetically, efficiently and at the appropriate level, and resolved as soon as possible. The complaints procedure is available to parents of former pupils provided that the complaint was initially raised when the pupil was still registered. The School does not seek to limit matters to be dealt with by the complaints process but hopes that most concerns can be resolved by effective communication at the informal stage.

1.2 Policy Status: This policy has been approved by the Head and Governors of Burgess Hill Girls. It provides guidelines for the handling of concerns and complaints. It takes account of the guidance provided by Part 7 of the *Education (Independent Schools Standards, England) Regulations 2014*. The complaints procedure associated with this policy may be adapted as appropriate to meet the policy aims and circumstances of each case. Certain elements of the procedure can only be carried out during term time.

1.3 The Early Years Foundation Stage (EYFS) Additional requirements apply to EYFS settings beyond those applying to the Prep and Senior Schools. The School will investigate written complaints relating to the fulfilment of the EYFS requirements and will notify complainants of the outcome of the investigation within 28 days of having received the complaint. The record of complaints will be made available to Ofsted on request.

1.4 Suggested guidance for parents: The overarching principle set out in the complaint procedure is that, if a parent has a concern or complaint, they should inform the School about it as soon as possible. Most concerns can be sorted out quickly by speaking to the appropriate member of staff. If the complainant is dissatisfied with the response they have received they can write to the Head, or Head of the Prep School, who will conduct an investigation and they will receive a written response. In the case of the Early Years Foundation Stage, if the complaint is still unresolved after writing to the Head of the Prep School, the complainant should write to the Head. Should a EYFS complaint still be unresolved following the above procedure, it may be referred to Ofsted at National Business Unit, Piccadilly Gate, Store St, Manchester, M1 2WD, Tel: 0300 123 1231 and The Independent School Inspectorate, CAP House, 9-12 Long Lane, London EC1A 9HA tel: [02076000100](tel:02076000100) email: concerns@isi.net.

Please raise the concern initially as follows:-

A concern about the safety of the complainant's child should be notified immediately to the person the complainant believes is best placed to take urgent action and should be confirmed in writing to the Head.

Education issues - if the matter relates to the classroom, the curriculum or Special Educational Needs or Disabilities, please speak or write to the Form Teacher, Head of Department or Pastoral Lead as appropriate. In the Prep School or Nursery, the Form Teacher or Nursery Manager should be the first point of contact.

Pastoral care - for concerns relating to matters outside the classroom, please speak or write to the relevant Form Tutor or Pastoral Lead (Senior School), Class Teacher (Prep School) or Lead Practitioner in the Nursery.

Disciplinary matters – a problem over disciplinary action taken or sanction imposed should be raised first with the member of staff who imposed it and, if not resolved, with the Form Tutor or Pastoral Lead (Senior School), Class teacher (Prep School) or Lead Practitioner in the Nursery.

Financial matters – a query relating to fees or extras should be raised with the Director of Finance and Operations (DFO).

2.0 Complaints Procedure

Burgess Hill Girls Senior and Prep Schools and Nursery have an excellent reputation, both for the quality of the teaching and the pastoral care provided to all pupils. However, if parents or guardians do have a complaint, they can expect it to be taken seriously and be treated by the School in accordance with this Procedure. This procedure relates to those pupils who are registered on the School roll at the time of the complaint also applies to the Early Years Foundation Stage (EYFS).

2.1 Stage 1 — Informal Resolution

- It is hoped that most complaints and concerns will be resolved quickly and informally.
- If parents or guardians have a complaint, they should normally contact the pupil's Form Tutor, Form teacher in Prep School or Lead Practitioner in Nursery who will normally expect to respond within 24 hours. In many cases, the matter will be resolved straight away by this means to the parents' or guardians' satisfaction. If they cannot resolve the matter alone, it may be necessary for them to consult the Pastoral Head, Head of Prep School or Nursery Manager.
- Complaints made directly to a senior member of staff will usually be referred to the relevant Form Tutor, Form teacher or Lead Practitioner, unless the person who has received the complaint deems it appropriate for him or her to deal with the matter personally.
- Whichever member of staff receives and deals with the complaint they 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 10 working days or in the event that the Form Tutor, Form teacher or Lead Practitioner the senior member of staff fails to reach a satisfactory resolution then parents or guardians will be advised, or be able, to proceed with their complaint in accordance with Stage 2 of this Procedure.

2.2 Stage 2 — Formal Resolution

- If the complaint cannot be resolved on an informal basis, then the parents or guardians should put their complaint in writing to the Head or to the Head of the Prep School. They will decide, after considering the complaint, the appropriate course of action to take. If the complaint is made against the Head or Head of Prep School, the complaint should be put in writing to the Chair of Governors via the DFO on dfo@burgesshillgirls.com.
- In most cases, the Head or the Head of the Prep School, will speak to the parents or guardians concerned, normally 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 the Head of the Prep School, to carry out further investigations.
- The Head or the Head of the Prep School, will make written records of all meetings and interviews held in relation to the complaint.
- Once the Head or the Head of the Prep School is satisfied that, so far as is practicable, the relevant facts have been established, a decision will be made and parents or guardians will be informed of this decision in writing, together with the reasons for it. Complainants will be notified of the outcome within 20 working days of the School having received the formal complaint.
- If parents or guardians are still not satisfied with the decision, they should proceed to Stage 3 of this Procedure.

2.3 Stage 3 — Panel Hearing

- If, following a failure to reach an earlier resolution, parents or guardians seek to invoke Stage 3, they will be referred to the DFO who has been appointed by the Board of Governors to call hearings of a Complaints Panel.
- The matter will then be referred to the Complaints Panel for consideration.
- The Panel will consist of at least three persons not directly involved in the matters detailed in the complaint. One member of the Panel shall be independent of the management and running of the School and the other two shall be selected from the Board of Governors. Each

of the Panel members shall be appointed by the Chair of the Board of Governors, who shall also nominate a Chair of the Panel. The DFO, on behalf of the Panel, will then acknowledge the complaint in writing within 5 working days and schedule a hearing to take place as soon as practicable and within 20 working days of the DFO's written acknowledgement.

- 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. Copies of such particulars shall be supplied to all parties not later than 5 days prior to the hearing. Similarly, where the parents or guardians wish the Panel to consider any further written material, then this should be supplied within the same time period.
- The parents or guardians may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not normally be appropriate. The parents or guardians must inform the DFO, at least 2 days in advance, if they intend to be accompanied, by whom and in what capacity.
- If the parents or guardians are to be accompanied, then any staff member involved may also be accompanied by a relative, teacher or friend.
- If possible, the Panel will resolve the parents' or guardians' 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 facts they consider relevant, the Panel will reach a decision and may make recommendations, which it shall complete within 20 working days of the Hearing. The Panel can:
 - dismiss the complaint in whole or in part;
 - uphold the complaint in whole or in part;
 - decide on the appropriate action to be taken to resolve the complaint; and for
 - recommend changes to the School's systems or procedures to ensure that problems of a similar nature do not recur.
- The Panel will write to the parents or guardians informing them of its decision and the reasons for it. The decision of the Panel will be final. The Panel's findings will be sent in writing to the complainant and, where relevant, any person about whom the complaint was made.
- Recommendations, if any, will be discussed with the Head and Board of Governors.
- All written records, statements and correspondence will be held in a 'Complaints Log' by the Head and will be kept for at least seven years as advised by the DfE. If the complaint is in relation to safeguarding or allegations of abuse, records will be preserved for the term of the independent inquiry into Child Sexual Abuse and at least until the accused has reached normal pension age or for 10 years from the date of the allegation if it is longer. The School's written record of complaints relates to those at Stage 2 and, if applicable, Stage 3 and also identifies those complaints relating to boarding provision

and actions taken as a result of those complaints.

- The findings, recommendations and actions taken by the School as a result of these complaints (regardless of whether they are upheld) will be sent by electronic mail or otherwise given to the complainant and, where relevant, to the person complained about and a copy of the findings and recommendations will be available for inspection on the School premises by the Governors and Head.
- Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records 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.
- If the child leaves the School whilst a complaint is running its course then the complaints procedure will be completed. However, if the child has left the School more than three months before a complaint is received then the School will not implement the complaints procedure and will decline to hear a complaint in the absence of special circumstances.
- The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015 require the School to provide the complainant on conclusion of the final stage of the School's complaints procedure with the name and address of an alternative dispute resolution provider who has been certified by the Chartered Trading Standards Institute as competent to resolve consumer disputes. These details are set out below. However, please note that the School is not obliged to enter into alternative dispute resolution through an ADR provider.

ADRS

Three Indian Kings House
31, The Quayside
Newcastle upon Tyne
NE1 3DE

0191 222 3314

info@adrs.co.uk

Burgess Hill Girls will provide ISI/Ofsted, on request, with a written record of all complaints made during any specified inspection period, and the action which has been taken as a result of each complaint. The record of any such complaint will be kept for at least three years.

3 Unreasonable and Persistent Complaints

3.1 Unreasonable Complaints

Most complaints raised will be valid, and therefore will be treated seriously. However, a complaint may become unreasonable if the person:

- 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
- Refuses to accept that certain issues are not within the scope of the complaint's procedure
- Insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- Introduces trivial or irrelevant information which they expect to be taken into account and commented on
- 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 the school's complaint procedure has been fully and properly implemented and completed, including referral to the ADRS.
- Seeks an unrealistic outcome
- Makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- Uses threats to intimidate
- Uses abusive, offensive or discriminatory language or violence
- Knowingly provides falsified information
- Publishes unacceptable information on social media or other public forums

Please note: the above list is not intended to be exhaustive and is for guidance purposes only. It is at the discretion of the school what is deemed to be unreasonable.

Complainants should try to limit their communication with the school while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Steps we will take

The school will take every reasonable step to address the complainant's comments and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. The school will follow our complaints procedure as normal (as outlined above) wherever possible.

Whenever possible, the Head or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the Head will write to the complainant explaining that their behaviour is unreasonable, refer them to this policy and remind them to act in accordance with it. For complainants who excessively contact the school causing a significant level of disruption, we may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

In response to any serious incident of aggression or violence, the school will immediately inform the police and communicate our actions in writing. This may include barring an individual from school premises and ensuring appropriate measures of support are provided to staff where they are the subject of aggression and/or violence.

3.2 Serial/Persistent Complaints

If the complainant contacts the school again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent'. We may stop responding to the complainant when the following conditions are met:

- The school have taken every reasonable step to address the complainant's concerns
- The complainant has been given a clear statement of our position and their options
- The complainant contacts the school repeatedly, making substantially the same points each time

The case to stop responding is stronger if:

- The complainant's communications are often or always abusive or aggressive
- The complainant makes insulting personal comments about or threats towards staff
- The school have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience

When the school decide to stop responding, the school will inform the individual what the school intend to do. The school will also explain that we will consider any new complaints they make

provided the concerns raised are materially different to those raised previously and/or are unconnected to the previous concern.

3.3 Duplicate Complaints

If the school have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that the school hadn't previously considered, or any new information the school need to take into account.

If the school are satisfied that there are no new aspects, the school will:

- Tell the new complainant that the school have already investigated and responded to this issue, and that the local process is complete
- Direct them to the ADRS if they are dissatisfied with the school's original handling of the complaint

If a duplicate complaint is raised which in the view of the school warrants further consideration, the procedure will be repeated.

3.4 Complaint Campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.