

COMPLAINTS PROCEDURE

Policy Lead	Chief Operating Officer
Reviewed By	Head and Director of Projects
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1. Introduction

- 1.1 North London Collegiate School (the School) believes complaints from parents and guardians of current registered pupils about the activities or actions of the School should be resolved swiftly.
- 1.2 Complaints will be treated by the School in accordance with this Procedure, which complies with [Paragraph 33 of Part 7 of Schedule 1 to The Education \(Independent School Standards\) Regulations 2014](#). The Standard does not distinguish between ‘concerns’ and ‘complaints’. Any matter about which a parent of a pupil is unhappy and seeks action by the School is considered a complaint, and in the scope of this Procedure.
- 1.3 A complaint is an expression of dissatisfaction with a real or perceived problem regarding any matter about which a parent of a current registered pupil is unhappy and seeks action by the School. 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 towards their child.
- 1.4 Parents can be assured that all complaints will be treated seriously and confidentially. It is hoped that most complaints will be resolved quickly and informally.
- 1.5 This is a whole school Procedure which applies from EYFS to Sixth Form.
- 1.6 This Procedure must be read in conjunction with the following which are available on the School website:
 - [Privacy Notices](#)
 - [Safeguarding and Child Protection Policy](#)
 - [Terms and Conditions](#)
- 1.7 This Procedure is available on the School [website](#).
- 1.8 A copy of this Procedure is held at the Senior School Office for consultation by parents. You may also email the School at Office@nlcs.org.uk to request a hard copy which can be made available in large print or other accessible format if required.

2. Aims and objectives

- 2.1 The School aims to work closely with parents to resolve all complaints in a timely manner.
- 2.2 Timescales for each stage are set out below in the relevant paragraphs. Working days means Monday to Friday inclusive (excluding public holidays), when the School is open during term time. Aspects of the Procedure can only be carried out during term time. The term dates are published on the School's website. Where the matter relates to EYFS, however, the process and any investigation will be conclude within 28 days of the complaint having been received by the School.

3. Statutory and regulatory framework

- 3.1 This Procedure complies with [Paragraph 33 of Part 7 of Schedule 1 to The Education \(Independent School Standards\) Regulations 2014](#).

4. Scope and responsibilities

4.1 This Procedure applies to parents and guardians of current registered pupils, and parents of former pupils where the complaint was initially raised when the pupil was still registered at the School. Save in very exceptional cases, and only at the Head's discretion, no complaints will be considered if more than one School term has passed since the pupil left the School.

4.2 The following are exempt from this Procedure because they are covered by separate procedures:

- matters likely to require a child protection investigation;
- whistleblowing;
- staff grievances and disciplinary procedures;
- complaints about services provided by other providers who may use the School premises or facilities;
- complaints about Governors (accessible by Staff and Governors only, but can be provided on request).

4.3 Separate procedures apply in the event that a child protection issue arises or if the Head expels or asks a pupil to leave and the parents seek a Governors' Review of that decision.

4.4 Any concern about the safety of your child should be notified immediately to the person you believe is best placed to take urgent action and should be confirmed in writing to the Head. Safeguarding related concerns should be raised via the reporting procedures set out in the Safeguarding and Child Protection Policy.

4.5 Governors who are approached with a complaint will usually refer the matter to the Head, unless the complaint is about the response of the Head to a previous complaint, which will be referred to the Chief Operating Officer to deal with under Stage 3 below.

4.6 'The Head' means the whole-school Head of North London Collegiate School. Where parents bring a complaint to the Head of the Junior School this is considered to be an informal complaint unless it is escalated to the Head of the whole school.

5. Record keeping

5.1 All staff who are involved in handling any complaint are required to keep a record of their communications with parents, students and other colleagues. Any such record will include the date of the communication, the parties to it and a summary of what was discussed. Wherever possible, such records are made the same day or as soon as possible afterwards.

5.2 The School maintains a central written record of all informal complaints for management purposes to enable any emerging patterns to be identified and monitored. If an Informal Complaint transitions to a Formal Complaint (Stage 2), the complaint will be noted in the formal complaints log.

6. Informal Complaints (Stage 1)

6.1 Complaints should usually be made initially to an appropriate member of staff. If parents are unsure whom to contact about a complaint, they may contact the School Office who will pass the

complaint on to an appropriate staff member. The member of staff who receives any complaint direct may also refer the complaint as appropriate and in accordance with this policy.

6.2 In the Senior School:

6.2.1 academic complaints should, depending on their gravity, be referred to the subject teacher, Head of Department or Deputy Head (Academic);

6.2.2 pastoral complaints should be referred to the Form Tutor, Head of Year, Section Head or Deputy Head (Pastoral), depending on the gravity of the complaint.

6.3 In the Junior School:

6.3.1 academic complaints should be referred to the class teacher, Subject Lead, Deputy Head (Academic) or Head of the Junior School;

6.3.2 pastoral complaints should be referred to the Form Teacher, Deputy Head First School, Deputy Head Lower School or Head of the Junior School.

6.4 Complaints about operational matters can be referred to the relevant support team or the Chief Operating Officer. Complaints about transport should be referred to the transport team.

6.5 School staff will pass on any complaint they receive to an appropriate member of staff if they are not best placed to respond to the complaint themselves. They will let parents know if they take such action.

6.6 An oral communication may not necessarily be acknowledged in writing. Where the informal complaint is communicated in writing, the staff member will acknowledge it within two working days during term time, and as soon as practicable in the half term and school holidays.

6.7 The appropriate staff member(s) will usually discuss the issue with the parents, regardless of whether the complaint is made orally or in writing, and take such other action as they consider appropriate to resolve the complaint, including speaking with the student, other members of staff or other students.

6.8 Most cases are informally resolved in this way and an understanding reached between the various parties.

6.9 Where the first contact is directly to the Chair of Governors or the Head this will initially be treated as an informal complaint. In such situations, the Chair of Governors or Head are likely to ask for an appropriate member of staff to handle the complaint informally, but they may choose to handle the complaint informally themselves.

6.10 The informal stage may involve correspondence between a parent and different staff members before it is deemed to have been exhausted. It would not be usual, for example, for a complaint to go straight from subject teacher level to the Head. If a parent is not satisfied with the response received from a member of staff, they should escalate the matter within 10 working days to an appropriate school leader e.g. a Deputy Head, Section Head or Head of the Junior School.

6.11 Informal complaints will normally be handled within 10 working days during term time. Where a Senior Leader is not initially involved, and is asked by parents to become involved at a later stage, they will normally aim to resolve the complaint within a further 10 working days. They will normally meet with the parent(s) and follow this up in writing with their findings and any agreed resolution.

7. Formal Complaints (Stage 2)

7.1 A Formal Complaint may arise where:

- A parent is not satisfied with the outcome of the Stage 1 process and escalates their complaint to the Head.
- The Head deems that the matter is serious enough to move straight to a formal process from the outset.

The Formal Complaint process involves referral to the Head. This includes complaints for the Senior and the Junior School.

7.2 Where a parent is not satisfied with the outcome of the Stage 1 process, they should put their complaint in writing to the Head setting out the nature of their complaint, their desired outcome and what they have already done to try to resolve their complaint. They should usually do this within 15 working days of the School's response at Stage 1, but the Head has the discretion to extend this timeframe in appropriate circumstances.

7.3 All formal complaints received in term time will be acknowledged within 3 working days.

7.4 The Head will decide, after considering the written complaint, the appropriate course of action to take and would normally ask the relevant Deputy Head or the Chief Operating Officer to investigate. The Head may ask the parents to meet before any investigation. They would usually ask a member of the Senior Team to attend any meeting as a notetaker.

7.5 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 may choose to invite parents to a meeting before communicating their decision in writing. They would normally ask a member of the Senior Team to attend this meeting as a notetaker and to help answer questions.

7.6 The Head's aim would be to inform the complainant of the outcome of an investigation and the resolution to the complaint within 20 working days from the receipt of the complaint. Working days are usually during term time only, and complaints received towards the end of term may not be formally responded to until the following term. The complainant will be informed of an expected date for completion should the investigation look to take more than 20 working days in total or bridge the end of one term and the start of another.

8. Unresolved Complaints: referral to the Complaints Panel (Stage 3)

8.1 If parents are dissatisfied with the decision of the Head at Stage 2, they should write to the Clerk to the Board of Governors (the Clerk) within 10 working days of the date on which they were notified of the decision so that the matter can be referred to a Complaints Panel for consideration. The Clerk is the Chief Operating Officer. A Complaints Panel will only be convened where Stage 2 of this procedure has been followed. If the complaint is about the Clerk (Chief Operating Officer), the Chair of Governors will handle the administration personally.

8.2 Parents should ensure that they state the outcome desired, all the grounds of the complaint, and the steps they have taken to attempt to resolve the complaint with the School. They should not include grounds which have not already been raised at Stage 1 and 2 (which need to go through the complaints process and allow time for proper investigation) except any dissatisfaction with the School's response at Stage 2.

- 8.3 The Clerk shall acknowledge the request in writing within 5 working days. The Clerk will ask the parents to confirm that they have submitted all documents/correspondence on which they have relied for the purposes of the complaint. The Clerk may ask them to be provided in chronological order. The Clerk will ask the Head and any other staff involved in the complaint process to produce any other documents/correspondence on which they have relied.
- 8.4 The Clerk will endeavour to convene the Complaints Panel hearing within 20 working days of confirmation from the parents that all papers have been provided or as soon as is reasonably practicable if the dates within that period are unsuitable to Complaints Panel members, parents or relevant members of staff.
- 8.5 At least 5 working days before the Complaints Panel convenes, the Clerk will arrange for an exchange of papers between the parent(s) and the School (the Clerk will usually exclude documents which relate to new matters not raised during Stage 1 or Stage 2 of the process).
- 8.6 The Clerk will also share with the School and the parent(s) the names of the attendees including the names of any additional staff members beyond the Head who will be invited to answer questions at the Complaints Panel meeting. Such staff members will usually be senior members of staff who were involved in the handling of the complaint. Neither the parent(s) nor the School can request that any particular individual give evidence. This is a matter for the Clerk, acting on the direction of the Chair of Governors.

8.7 The Complaints Panel

- 8.7.1 The Complaints Panel will consist of at least three persons not having detailed knowledge of or being directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the School. Each of the Complaints Panel members shall be appointed by the Clerk. The Chair of Governors may appoint themselves to the Complaints Panel if not previously involved in the matter. The hearing will be chaired by one member of the Complaints Panel (chosen by themselves).
- 8.7.2 The parents will be sent written notification of the date, time and place of the hearing, or log in details for virtual hearings, together with brief details of the Complaints Panel members.
- 8.7.3 Parents will be asked to attend the hearing and may be accompanied by one other person. This may be a friend or relative but not a child or young person who is a pupil at the School. Legal representation is not normally considered appropriate. In exceptional cases where the parents wish to bring a legally qualified person to act in their professional capacity, subject to the consent of the Chair of the Complaints Panel, the parents should provide the School with at least seven working days' notice.

8.8 Complaints Panel Hearing

- 8.8.1 The Complaints Panel hearing is a review of the decisions taken by the Head at Stage 2. The Complaints Panel will not consider any new areas of complaint which have not previously been raised as part of the complaints procedure or in the parents' communications as part of the Stage 2 process.
- 8.8.2 The Complaints Panel's task is to establish the facts surrounding the complaints that have been made by considering:
- the documents provided by both parties and any other written records taken as part of the investigation;

- any correspondence between the parents and the School (including any legal correspondence on their behalf); and
- any representations made by the parents and the Head.

8.8.3 The Chair of the Complaints Panel will provide the parent(s) with the opportunity to explain their complaint at the Complaints Panel hearing. They should expect to answer questions from Complaints Panel members. The Head will then be invited to outline the School's response and to answer questions from the Complaints Panel. Both the parent(s) and the Head may request permission from the Chair of the Complaints Panel to ask each other questions. Both the parent(s) and the Head will then be given the opportunity to sum up or say anything further. An appropriate member of staff will be asked to take notes.

8.8.4 The Chair of the Complaints Panel may decide in their absolute discretion that in some circumstances it is appropriate to see the Head and the parent(s) separately during the hearing.

8.8.5 The Chair of the Complaints Panel may decide in their absolute discretion that in some circumstances it is appropriate to see any other witnesses separately during the hearing.

8.8.6 At the end of the Complaints Panel, the Complaints Panel members will retire to make a decision. The Head will not participate in the Complaints Panel's decision-making process.

8.8.7 The Chair of the Complaints Panel may, at their discretion, adjourn the hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.

8.9 Complaint Panel decision

8.9.1 After establishing the facts, the Complaints Panel will either uphold or dismiss all or part of the complaint. The decision will be made on the balance of probabilities. It is not within the Complaints Panel's power to make any financial award, nor to impose sanctions on staff, pupils or parents.

8.9.2 After consideration of all matters discussed at the hearing, the Complaints Panel will reach a decision. The Complaints Panel's decision, findings and any recommendations may be notified orally at the hearing or subsequently within 15 working days of the hearing. In either case the Chair of Governors will write to the parents (by email or post if so requested) either confirming the Complaints Panel's decision and the reasons for it or attaching the decision and providing any further explanation as needed.

8.9.3 The Complaints Panel's findings and recommendations, if any, will also be shared with the Head and, where appropriate, the person (other than a child) about whom any complaint was made. If the complaint was about another person's child, the parents of that child will also be told. The decisions, findings and any recommendations will also be available for inspection on the School premises by the Governing Body and the Head.

9 Early Years Foundation Stage

9.1.1 In order to fulfil the requirements of the Early Years Foundation Stage, and notwithstanding any other time frames mentioned above, the parents will be notified of the outcome of the investigation within 28 days of the complaint having been received by the School.

9.1.2 In addition to the process detailed above, in the case of complaints concerning the Early Years Foundation Stage (Reception classes), if parents believe the School is not meeting the EYFS requirements they may contact Ofsted and/or the Independent Schools Inspectorate

(ISI) if they wish. The contact details are as follows:

- Ofsted, 26-32 Store Street, Manchester, M1 2WD Tel: 0300 123 1231
- Independent Schools Inspectorate, CAP House, 9-12 Long Lane, London, EC1A 9HA
Tel: 020 7600 0100

9.2 The School will advise parents if the EYFS setting is to be inspected and after the inspection provide a copy of the report to parents of children attending the School.

10 Records of complaints and data protection

10.1 A written record of formal complaints is retained by the School showing whether:

- the complaints were resolved following a formal procedure or proceeded to a Complaints Panel hearing; and
- what if any action was taken by the School as a result of these complaints (regardless of whether they are upheld).

10.2 The School processes data in accordance with the privacy notices for parents and pupils. When dealing with complaints the School may process a range of information, including but not limited to, the following:

- date when the complaint was raised;
- name of parent/s;
- name of pupil;
- description of the issue;
- records of any investigations;
- witness statements (if applicable);
- name/s of members of staff handling the complaint at each stage;
- copies of all correspondence, notes of meetings and hearings (if applicable); and
- the Complaints Panel's written decision (if applicable).

10.3 The Head, Chief Operating Officer and Governors ensure appropriate consideration is given to the School's obligations under the Data Protection Act 2018 and the UK General Data Protection Regulation to keep such information for no longer than necessary. Records of complaints will be securely retained until the pupil reaches the age of 25, after which the records will be safely destroyed.

10.4 All complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except in so far as is required of the School under Section 109 of the Education and Skills Act 2008 where access is requested by the Secretary of State or where disclosure is required in the course of the School's inspection.

10.5 In accordance with paragraph 32(1)(b) of Schedule 1 to the Education (Independent School

Standards) Regulations 2014, the School will make available to parents of pupils and prospective pupils and provide, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate, details of the complaints procedure and the number of complaints registered under the formal procedure during the preceding school year.

- 10.6 The number of formal complaints received in 2022/2023 is available on request from the School Office.

11 Monitoring and evaluation

- 11.1 The Head and Senior Team will regularly monitor and evaluate the effectiveness of this Procedure.
- 11.2 The Complaints Procedure will be subject to review every three years (or more frequently if changes to legislation, regulation or statutory guidance so require) by the Chief Operating Officer.
- 11.3 The Complaints Procedure will also be subject to critical review by the Governing Body, and will be reviewed by the relevant committee of the Governing Body on a three-yearly basis.
- 11.4 The date of the next review is shown on the front page.

APPENDIX A: VEXATIOUS COMPLAINTS & UNREASONABLE BEHAVIOUR

The School is committed to dealing with all complaints fairly and impartially, and to providing a high quality of service to those who complain. We shall not normally limit the amount of contact that complainants have with the School and we shall assign sufficient time and resources to ensuring that complaints are dealt with in full.

Nevertheless, once the complaints procedure has been fully and properly implemented at all stages, the matter will be considered closed and complainants should not expect the School to deal with it further. Where complainants make attempts to raise or add to the same complaint after it has been considered at Stage 3, this may be regarded as vexatious and the complainants may be contacted formally by the Head and asked to desist from further correspondence on the matter in question.

Whilst acknowledging that complaints may be highly emotive for some or all of the parties, the School does not expect staff to tolerate behaviour which is abusive, offensive, overbearing or threatening. Complainants who engage with the School in this way should expect to be contacted formally by the Head and asked to desist from such behaviour.