



**SEDBERGH SCHOOL
AND
CASTERTON, SEDBERGH PREPARATORY SCHOOL**

Complaints Procedure	
Version	2024.1
Effective from	January 2024
Extent of Policy	Sedbergh School Casterton, Sedbergh Prep School The Mulberry Bush at Casterton
Policy Owner	The Governors of Sedbergh School, delegated to the Headmaster, Sedbergh School, & Chief Operating Officer
Governor	Jeremy Bedford
Review by	January 2025
Frequency of Audit	Annual
Circulation	Parents by request
Publication	Website

Introduction

Sedbergh School ("the senior school"), Casterton, Sedbergh Prep School ("the prep school") and the Mulberry Bush at Casterton (collectively "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. The School makes its Complaints Procedure available in a form that is accessible to all parent(s)/guardian(s) of pupils on the School's website and in the School office during the School day, and will ensure that parents/guardians of 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.

This policy can be made available in large print or other accessible format if required and the School will make other reasonable adjustments required to enable complainants to access and complete this procedure, such as holding meetings in accessible locations.

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, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate, details of this Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year.** This information may be sought from the Clerk to the Governors, Peter Marshall, at the following address –

Sedbergh School
Station Road
Sedbergh LA10 5HG
Email: coo@sedberghschool.org

Scope and Application

This policy applies to the whole School, including the Early Years Foundation Stage.

This policy applies only to complaints by parents. The School has separate Grievance and Whistleblowing Policies to cover concerns that a member of staff may have.

This policy does not apply to exclusions, to which the School's Expulsion, Removal and Review Policy applies.

This policy applies to complaints from each of the following:

- a parent or parents of current pupils;
- a parent or parents of former pupils if the complaint was initially raised when the pupil was registered at the School.

Please note that, for the purposes of this Complaints Procedure, the term "parent(s)" includes all those who have signed the School's acceptance form as well as those who hold parental responsibility for or have care of a pupil about whom the complaint relates.

The School will not normally investigate anonymous complaints.

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 Procedure.

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.

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.

What Constitutes a Complaint?

Any matter about which a parent of a pupil is unhappy and seeks action by the School is a complaint and within the scope of this Complaints Procedure. Complaints may be made about the School as a whole, about a specific department or about an individual member of staff and may arise if a parent believes that the School has done something wrong or failed to do something that it should have done or has acted unfairly.

The number of complaints received under the formal procedure in the previous academic year is available on request from the Clerk to the Governors.

Parents can be assured that all concerns and complaints will be treated seriously. 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 raises in good faith.

The three-stage Complaints Procedure

Stage 1 – Informal Resolution

- It is hoped that most complaints and concerns will be resolved efficiently and promptly and, wherever possible, on an informal basis. Parents are encouraged to bring any matter causing concern to the School's attention as soon as possible and should raise a complaint, whenever possible, within three months of the incident, or where a series of associated incidents have occurred, within three months of the last of these incidents. However the School will, if exceptional circumstances apply, consider complaints made outside of this timeframe (within twelve months). A complaint raised after three months should therefore include details of the issues which led to the delay.
- If parents have a complaint they should normally contact their son/daughter's Form Teacher (at the prep school) or Housemaster/Housemistress (HSM) or relevant Head of Department (HoD) or Head of Year (HoY) (at senior school). In many cases, it is hoped that the matter will be resolved straightaway by this means to the parents' satisfaction. If the Form Teacher or HSM/HoD/HoY cannot resolve the matter alone it may be necessary for him/her to consult a HoD or Deputy Head.
- Complaints made directly to a HoD, HoY, Deputy Head or the Headmaster will usually be referred to the relevant Form Teacher or HSM unless the HoD, HoY, Deputy Head or Headmaster deems it appropriate for him/her to deal with the matter personally.

- An informal complaint will be acknowledged by telephone, email or letter within three working days of receipt, indicating the action that is being taken and the likely timescales.
- The Form Teacher, HSM or HoD 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 five working days** or in the event that the Form Teacher, HSM, HoD or HoY and the parent fail to reach a satisfactory resolution then parents will be advised to proceed with their complaint in accordance with Stage 2 of this Complaints Procedure.
- An informal complaint against the Headmaster of the prep or senior school (as applicable), or Chief Operating Office (COO), should be raised initially with that Headmaster where parents feel comfortable doing so.
- If, however, parents prefer, they may raise an informal complaint against the Headmaster of the prep school or the COO directly to the Headmaster, Sedbergh School. In this event, the complaint will be treated as a formal complaint and dealt with at Stage 2.
- A complaint against the Headmaster, Sedbergh School should be made directly to the Chairman of Governors. Contact details for the Chairman of Governors are available from the School Office on request.
- Complaints about the Chairman of Governors, any individual Governor or the whole governing body should be addressed to the Clerk to the Governors via the School Office, marked as Private and Confidential.

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 Headmaster of the senior school or the prep school as applicable. The complaint should include the complainant's name and full contact details; details of the complaint and who it has previously been raised with; a copy of any relevant documents; and the outcome desired.
- The complaint will be acknowledged within three working days, indicating the action that is being taken and the likely timescales.
- The Headmaster will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Headmaster will meet or speak to the parents concerned, **normally within five working days** of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- The subject matter of the complaint will be investigated in the most appropriate manner. It may be necessary for the Headmaster, or their nominee, to carry out further investigations. These investigations may include the involvement of one or more Governors or requests for additional information from the parent, including what they think might resolve the issue (if not already requested under Stage 1) or requests for

further conversations and / or meetings with the parent personally and / or others with relevant knowledge of the circumstances to define the scope of the complaint and or assist in the investigation.

- The Headmaster will **keep written records** of all meetings and interviews held in relation to the complaint. Where the investigation is conducted by someone else they will prepare a report on the investigation which will usually then be considered by the Headmaster. Personal data may be redacted and names anonymised or cyphered in line with data protection principles.
- Once the Headmaster 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 Headmaster will also give reasons for his decision.
- If the formal complaint is against the Headmaster of the prep school or the COO, the Headmaster, Sedbergh School, will acknowledge the complaint within three working days of receipt and indicate the action that is being taken and the likely timescale. Such action may include a call for a full report from the Headmaster of the prep school or the COO, as applicable, and for all of the relevant documents. The Headmaster, Sedbergh School, 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 Headmaster, Sedbergh School, 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 Headmaster, Sedbergh School, will give reasons for his decision.
- If the formal complaint is made against the Headmaster, Sedbergh School, the Chairman of Governors will acknowledge the complaint within three working days of receipt and indicate the action that is being taken and the likely timescale. Such action may include a call for a full report from the Headmaster, Sedbergh School, and for all of the relevant documents. The Chairman 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 Chairman 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 Chairman will give reasons for his decision.
- The parents will be notified by email or letter of the Stage 2 decision, and the reasons for it, usually within **fifteen working days** from receipt of the formal complaint.
- If parents are not satisfied with the decision reached under Stage 2, they should proceed to Stage 3 of this procedure.

Stage 3 – Panel Hearing

- If parents seek to invoke Stage 3 of this Complaints Procedure (following a failure to reach an earlier resolution) they will be referred to the Clerk to the Governors who has been appointed by the Governors to call hearings of the Complaints Panel ("**the Convenor**").
- A request for a Hearing must be put in writing to the Clerk to the Governors and will usually only be considered if the procedure at Stage 2 has been completed.

- The written request should usually be made within fifteen working days from receipt of the Stage 2 decision and should include
 - the complainant's name and full contact details;
 - details of those aspects of the complaint about which the parent remains dissatisfied;
 - copies of any relevant documents which the parent would like the panel to consider;
 - the outcome desired; and
 - whether the parent wishes to attend the Hearing and if so, whether they propose to be accompanied.
- 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 three working days of receipt.
- **The matter will then be referred to the Complaints Panel ("the 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 Convenor, on behalf of the Panel, will send written notification to each party of the date, time and place of the Hearing, which will **normally be within ten working days of the date of the request to invoke Stage 3.**
- The parents may ask the Clerk to the Governors to inform them who has been appointed to sit on the Panel ahead of the Hearing. Fair consideration will be given to any reasonable objection to a particular member of the Panel.
- The Chair of the Governors will usually appoint one of the Panel members to be the Chair of the Panel throughout the proceedings.
- Copies of any additional documents that the parent(s) wish(es) the Panel to consider should be sent to the Convenor to be received at least **seven working days** prior to the Hearing.
- 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 five 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 normally be appropriate and the parents should note that the Panel will wish to speak to them directly. If they are accompanied by a legally qualified person, that 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 Panel.
- Unless a parent confirms that they are satisfied with the outcome of their complaint prior to the commencement of the Hearing, 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 manner in which the Hearing is conducted shall be at the discretion of the Panel.**
- The Panel will usually hear representations from the Stage 2 decision-maker and the parent(s).
- The Hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses to the issues complained of, but may do so and / or may take written statements into account.
- All statements made at the hearing will be unsworn. The parties will be entitled to write their own notes for reference purposes.
- All those present 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 of the Panel. 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.
- 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 published or otherwise made available directly or indirectly to the press or other media.
- 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.
- The Chair of the Panel may, at his / her discretion, otherwise 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 or for the parties to take legal advice on a specific issue arising.
- When the Chair of the 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.
- After due consideration of the documents provided by both parties and any representations made by the parties, the Panel will review the process and the decision reached at Stage 2, and consider on the balance of probabilities, whether or not to uphold each complaint.
- The Panel will make findings about each complaint on the balance of probabilities and may make recommendations. It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, pupils or parents, although the Complaints Panel may make recommendations about these issues.

- The Panel will write to the parents informing them of its decision and the reasons for it, **normally within five 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 Chairman of Governors and the Headmaster, Sedbergh School. **A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the School premises by the Chairman of Governors and the Headmaster, Sedbergh School.**
- The decision of the 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. The School will however ensure that the Panel decision is recorded appropriately and that any recommendations made in the course of a complaint are properly considered and actioned as appropriate.

Timeframe for Dealing with Complaints

All complaints will be handled promptly, seriously and sensitively.

It is expected that the management of every complaint will progress in a timely manner. Where there are exceptional circumstances resulting in a delay to the timescales for a stage of the Complaints Procedure (such as other bodies investigating aspects of the complaint), the School will notify the parent and inform them of the new timescales as soon as possible.

They will be usually be acknowledged **within five working days** if received during term time, and as soon as practicable during holiday periods. Complaints which are raised in the School holidays will usually be deemed to have been received on the first working day after receipt.

It is in everyone's interest to resolve a complaint as speedily as possible: the School aims to complete the first two stages of the procedure **within 20 working days**. Stage 3, the Panel Hearing, will normally be completed within a **further 15 working days**.

Complaints relating to the fulfilment of the School's EYFS requirements will be investigated and the complainants will be notified of the outcome within **28 days** of the School's receipt of the complaint.

Please note that, for the purposes of this procedure, the term "**working days**" refers to weekdays (Monday to Friday) when the School is open during term time, excluding bank holidays. The dates of School 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.

Recording Complaints and the Use of Personal Data

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

The School processes data in accordance with its Privacy Notice which is available on the School's website. When dealing with complaints, the School (including any Panel member appointed under the Stage 3 process) may process a range of information. This may include personal data (please see the School's Privacy Notice which explains how the School uses personal data about pupils and parents).

School staff will ensure that they follow the School's data protection policies and procedures when handling personal data created in connection with this Complaints Procedure.

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 Notice and Retention of Records Policy. 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 period of at least 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 109 of the Education and Skills Act 2008 requests access to them.

Complaints about the School's EYFS Provision

The School will investigate any written complaints relating to its EYFS provision and the fulfilment of the EYFS requirements, and will notify the complainants of the outcome of the investigation within 28 days of having received the complaint.

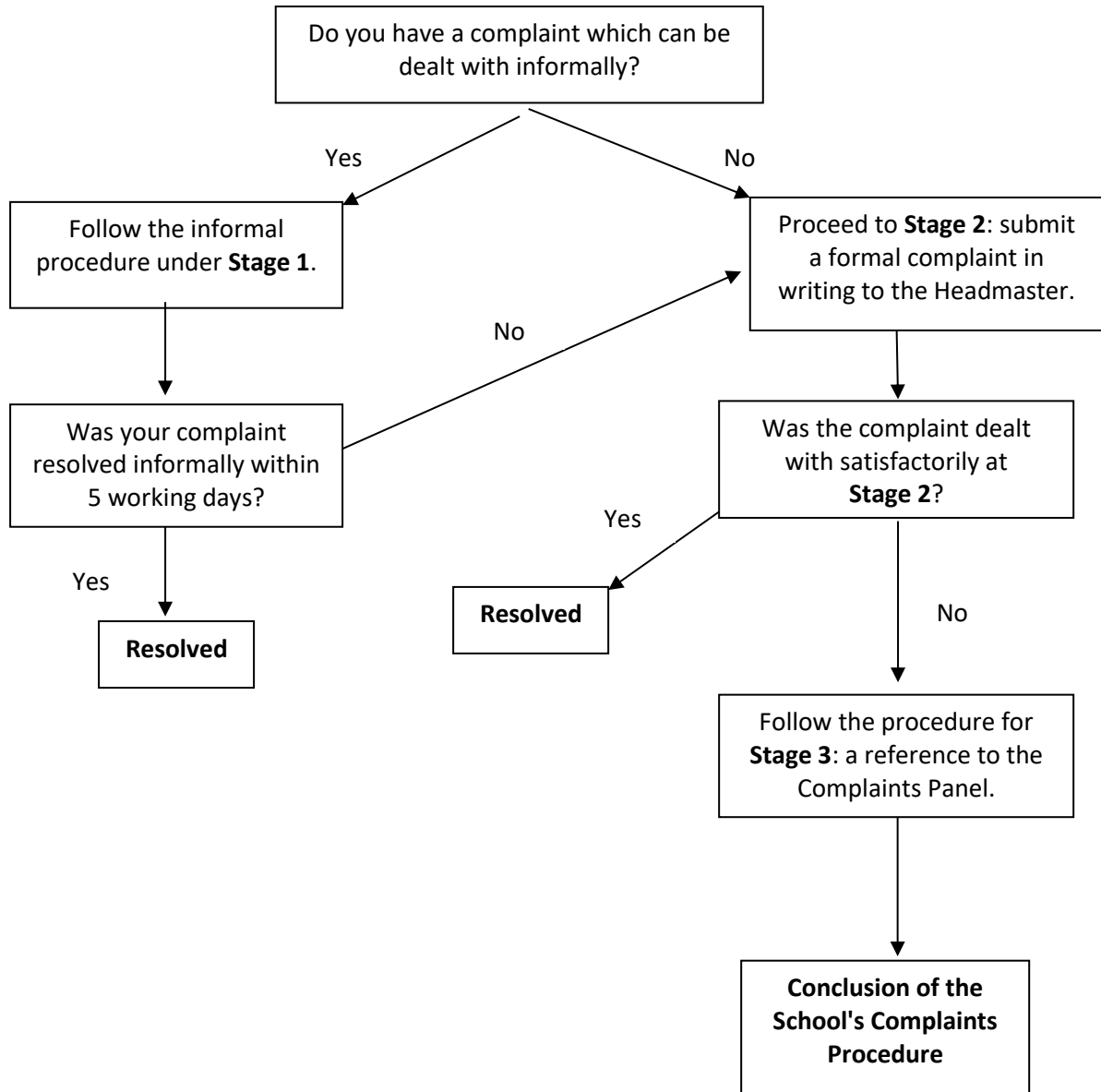
The School will keep a written record of all complaints they receive and their outcome and shall provide such information to ISI/Ofsted, on request. The record of any such complaints will be kept for at least three years.

Parents may complain directly to Ofsted or to ISI if they believe the provider is not meeting the EYFS requirements. Ofsted and the ISI can be contacted as follows:

Ofsted may be contacted on 0300 1234 234 or by email: enquiries@ofsted.gov.uk

ISI may be contacted on 020 7600 0100 or by email: concerns@isi.net

Procedural flowchart



Action Points

Action

By

Stage 1 log to be set up and kept by Headmaster's PA

Headmaster/
Headmaster's PA

Stage 1 complaints procedure to be outlined to HoDS/HoY/HSM

Headmaster

All logs for all stages to be centrally stored in Headmaster's Office

Headmaster/
Headmaster's PA