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		Required by law

Complaints policy and procedure

This document sets out Beaumont School’s Policy and Procedure for complaints.

The **Policy** sets out the broad principles we will look to apply when handling complaints. It is not a formal procedure, but rather a statement of our ethos towards ensuring we approach any concerns in a way that most benefits our pupils and students, their parents and carers, and our staff.

The **Procedure** sets out the formal process for raising a concern or making a complaint, as well as how we will handle formal complaints.

This document meets the requirements set out in [Part 7 of the schedule to the Education \(Independent School Standards\) Regulations 2014](#) (the “**Regulations**”), which states that we must have and make available a written procedure to deal with complaints from parents and carers of pupils at the School.

This document has also been based on guidance published by the Education and Skills Funding Agency (ESFA) on [best practice for academies complaints procedures](#) and guidance published by the Department for Education on [best practice for school complaints procedures](#).

The School’s complaints Policy and Procedure have been published on the School’s website and will be provided to any Parent on request.

Complaints policy

We care about what you think


Each day, Beaumont School makes decisions and strives for the best for all of its pupils, students and staff. Your comments – whether positive or critical – help us to plan for the future of our school.

You may want to talk to us about a particular aspect of the school without making a complaint: you may just want to get something ‘off your chest’.

However, if you are dissatisfied about the way your child is being treated, or any actions or lack of action by us, you may make a formal complaint under our complaints procedure.

We know it can feel uncomfortable to question or challenge something, but if you don’t tell us what is worrying you, we cannot explain what we are doing, why we are doing it or how we are trying to put things right. We should be able to sort out your worries, but sometimes this may not be possible.

We are available to discuss any concerns or complaints you may have.

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Phone – 01727 854726

Email – admin@beaumont.school

It is in everyone's interest to resolve concerns and complaints at the earliest possible stage. Many issues can be resolved informally, without using the formal stages of the complaints procedure. The School takes concerns seriously and will make every effort to resolve them as quickly as possible.

We understand that you may have difficulty discussing a concern with a particular member of staff. In such a case, we can refer you to another staff member. Equally, we may need to do this if a member of staff feels unable to deal with your concerns. The member of staff we refer you to may be more senior but does not have to be. We will look to refer you to someone who is best placed to consider your concern objectively and impartially.

We understand that sometimes people wish to raise their concerns formally. In this case, the School will attempt to resolve the issue through the stages outlined within the complaints procedure below.


Our aims

We aim to achieve the following when handling a complaint. These are the principles that we will hold in mind and aspire to when applying our formal complaints procedure.

- To deal with your complaint honestly, politely, impartially, fairly and in confidence.
- To treat complainants with respect and courtesy, in the expectation that complainants will also act with respect and courtesy.
- If your complaint is urgent, to aim to deal with it efficiently, recognising the need to act quickly.
- To keep you up to date with progress at each stage.
- To ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with principles of administrative law.
- To provide you with a clear written response to your complaint.
- To provide an apology if it is determined that we have made a mistake.
- To explain to you what (if anything) we intend to do to resolve your complaint.

How to make a complaint

Our Complaints Procedure sets out how to make a complaint. Any parent or carer of a pupil or former pupil can make a complaint, as can any member of the general public, provided the complaint is of a type covered by our Complaints Policy and Procedure. We will not normally accept anonymous complaints unless there are exceptional circumstances justifying our doing so.

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The complaint must be made within three months of the incident. Our procedure sets out how this timescale applies to complaints about multiple incidents and complaints made outside term time.

In line with law, our Complaints Procedure comprises three stages.

- Under **Stage 1**, the School will attempt to resolve a complaint informally in discussion with you. We try to resolve concerns by informal means wherever possible.
- If your complaint is not unresolved, you may make a written complaint under **Stage 2**, which will be considered by the Headteacher (or, in some cases, by a Trustee or independent professional).
- If your complaint still remains unresolved, you may escalate it to **Stage 3**, where it will be heard by a Panel of Trustees and/or independent professionals.

These three stages are required by law and must be followed in order. It is not possible, for example, to “skip” Stage 1 and make a formal complaint directly under Stage 2.

Behaviour

The School is committed to treating genuine complaints seriously and handling them to provide an appropriate solution. To do so requires significant time and resources and can place considerable pressure on individuals during the process, particularly pupils and staff.


We will always act first and foremost with the interests of pupils and staff in mind, with a particular emphasis on the safeguarding and welfare of pupils. We expect anyone raising a complaint or who becomes involved in the handling of a complaint to abide by these principles.

Although infrequent, on occasion the School receives complaints that are unreasonable. These may include complaints with no real foundation, which seek no outcome or solution, are made purely to “vent”, or which are persistent or repeated and effectively repeat ground already dealt with.

We will treat complaints of this kind as “vexatious” and deal with them accordingly. A more detailed list of circumstances in which we may treat a complaint as unreasonable or vexatious is set out in our Complaints Procedure and Persistent and Vexatious Complaints Policy (attached to that Procedure).

Where to get further help

The School will be glad to provide reasonable assistance to anyone who wishes to make a genuine complaint but is having difficulty doing so. At all times, a complainant must follow the Complaints Procedure, and the School will be happy to answer any questions about that procedure.

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If, however, you require further assistance, you can contact external organisations. These include:

Citizens Advice Phone: 0808 223 1133	POhWER Phone: 0300 456 2370 Email: pohwer@pohwer.net Post: PO Box 14043, Birmingham, B6 9BL
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Complaints Procedure

1 Scope of this Procedure

- 1.1 This Procedure covers complaints about the provision of facilities or services by Beaumont School (the “**School**”), other than complaints that are excluded below. For this purpose, a “**complaint**” is a formal expression of dissatisfaction about actions taken, or about a lack of action.
- 1.2 Aspects of this Procedure also cover concerns that do not amount to a complaint. For this purpose, a “**concern**” is an expression of worry or doubt over an issue considered to be important enough to warrant seeking reassurance, but which is not escalated to a complaint.
- 1.3 Certain types of complaints are dealt with under other statutory procedures and fall outside this Procedure. These matters and further information on them are set out in Appendix A.
- 1.4 In addition, the following matters cannot form the subject of a complaint and fall outside this Procedure:
 - Internal management decisions and decisions of the School’s board of Trustees.
 - Complaints made by a group of individuals (“ringleader complaints”).
 - Matters that occur outside school session times (such as on weekends or during school holidays).
 - Services provided by other providers who use school premises or facilities. Service providers should have their own procedures to deal with complaints about service. Please contact them directly.
 - A decision to impose restrictions on a complainant in response to unreasonable behaviour (see paragraph 16.6 and Appendix D).
- 1.5 If a complainant commences legal action against the School in relation to a complaint, the School may suspend the Complaints Procedure in relation to that complaint (and, if the School deems appropriate, in relation to any other complaint by the same complainant) until those legal proceedings have concluded.

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1.6 It is not possible to claim compensation through this Complaints Procedure.

2 Reading this Procedure

2.1 In this Procedure, we use the following phrases:

“**ESFA**” means the Education and Skills Funding Agency.

“**Member**” means a member of Beaumont School, a company limited by guarantee (reg. no. 08104190) whose primary purpose is to operate the School.

“**Parent**” means a person with parental responsibility for a Pupil or former Pupil.

“**Pupil**” means a pupil or student at the School.

“**School Days**” means weekdays during term time when pupils are in attendance for lessons at the school. It excludes weekends, holidays, occasional days and INSET days.

“**Trustee**” means a member of the School’s Board of Trustees.

3 Who can use this Procedure

3.1 Any person may raise a concern or make a complaint under this Procedure. This includes not only a Parent, but also any member of the general public.

3.2 The School may choose to handle complaints relating to former Pupils using the alternative procedure in section 15.

3.3 A concern may be raised or a complaint made by a third party on behalf of a complainant. In that case, the School may ask for evidence that the third party has the complainant’s consent to do this and may suspend action in response to the concern or complaint until that evidence has been provided.

4 How to raise a concern


4.1 A Parent should raise any concern with their Pupil’s class teacher, key stage lead, head of year or head of subject.

4.2 Other persons should raise any concern with the Headteacher.

4.3 A concern may be raised in person, by telephone or in writing.

4.4 The School will aim to respond to a concern within **15 School Days** of the date on which it was raised. However, this is not a formal deadline for a response.

4.5 If the person raising the concern feels that it has not been resolved, they may make a complaint under this Procedure.

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4.6 A person must not raise a concern with an individual Trustee or Member. Trustees and Members have no power to act on a concern, and becoming involved in a concern may preclude a Trustee from considering the matter should it be elevated to a complaint. If a Trustee or Member is approached by someone about a concern, they will refer that person to the most appropriate person.

5 How to make a complaint

5.1 A complaint may be made only in accordance with this Procedure.

5.2 The procedure for addressing a complaint comprises up to four stages, each of which must be followed before the next stage may be commenced. Those stages are:

- Informal resolution (Stage 1)
- Formal resolution (Stage 2)
- Internal appeal (Stage 3)
- Appeal to ESFA (Stage 4)

5.3 A person must not make a complaint to an individual Trustee or Member (other than to the Chair of Trustees where this Procedure so requires). Trustees and Members have no power to act on a complaint on an individual basis, and becoming involved in a complaint may preclude a Trustee from considering the complaint under this Procedure. If a Trustee or Member is approached by a complainant, they will refer the complainant to the most appropriate person.

5.4 The School will not normally investigate a complaint made anonymously. The Headteacher or (if the complaint relates to the Headteacher or a Trustee other than the Chair of Trustees) the Chair of Trustees or (if the complaint relates to the Chair of Trustees) the Vice-Chair of Trustees will have discretion to determine whether to allow an anonymous complaint to proceed.


6 Time frame for making a complaint

6.1 A complaint must be made within **three months** of the incident to which it relates (or, if it relates to a series of incidents, within three months of the last incident). A complaint made beyond this time frame will be considered “**out of time**”.

6.2 The School may consider a complaint made out of time in exceptional circumstances. The School may request any information it deems appropriate to decide whether to consider a complaint made out of time, including an explanation by the complainant of why the complaint was made out of time.

6.3 The School has absolute discretion to decide whether a complaint has been made properly in accordance with this paragraph 6, including:

- whether a complaint has in fact been made out of time; and

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- if it has, whether the explanation and any other supporting information provided by the complainant warrant an investigation even though the complaint was made out of time.

6.4 If the School decides that a complaint is out of time and the circumstances do not nonetheless warrant an investigation, it will inform the complainant in writing and will take no further action.

7 **Complaints made outside term time**

7.1 A complaint made on a date that is not a School Day will be treated as made on the next School Day.

7.2 If a complaint is made on a date that is not a School Day, the School will attempt, as soon as reasonably practicable, to acknowledge receipt of the complaint, confirm that date on which it was received, confirm when it will be considered, and provide any information on next steps which the School considers useful.

8 **Stage 1 – Informal resolution**

8.1 A complaint must be initiated under Stage 1.

8.2 A complaint under Stage 1 may be made in person, by telephone or in writing. However, the School encourages complainants to put their complaint in writing where possible.

8.3 If the complainant is a Parent of a current Pupil, the complaint must be made to the Pupil's class teacher, the relevant subject head, the relevant Key Stage head, the relevant head of year or the Headteacher.

8.4 If the complainant is a Parent of a former Pupil or is not a Parent, the complaint must be made to the Headteacher.

8.5 The complainant must make reasonable efforts to seek an informal resolution of the complaint with the School and at all times act reasonably and in a manner consistent with the School's behaviour policy. The Headteacher or Chair of Trustees may (in their absolute discretion) decide not to allow a complaint to proceed if the complainant does not comply with this paragraph 8.5.


8.6 The Headteacher (or another designated member of the School's senior leadership team) may arrange to meet with the complainant to discuss the complaint and/or may arrange an investigation.

8.7 The School will usually provide an informal written response to the complaint within **ten School Days** of receiving the complaint.


8.8 If, following the School's informal written response, the complaint remains unresolved, the complainant may advance the complaint to Stage 2.

9 **Stage 2 – Formal resolution**

9.1 A complaint may not be advanced to Stage 2 unless and until Stage 1 has been completed.

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- 9.2 A complaint under Stage 2 must be made in writing. Where possible, a complainant should submit their complaint using the complaint form in Appendix B. A complainant may set their complaint out in any other written format, but the School may reject a complaint at Stage 2 if it does not contain all the information required by the complaint form in Appendix B. The School will provide all reasonable assistance to a complainant to complete their complaint form.
- 9.3 A complaint regarding the Headteacher must be addressed to the Chair of Trustees, care of the Governance Professional (Clerk) to the Trustees.
- 9.4 A complaint regarding any Trustee or Member must be addressed to the Governance Professional (Clerk) to the Trustees.
- 9.5 Any other complaint must be addressed to the Headteacher.
- 9.6 The complaint must be delivered via the school office (either on paper or electronically), marked “Private and Confidential” and for the attention of the person to whom it must be addressed under this procedure.
- 9.7 The Headteacher, Chair of Trustees or Governance Professional (Clerk) (as appropriate) will record the date on which the complaint is received (or treated as made under this procedure) and acknowledge receipt of the complaint in writing within **five School Days**.
- 9.8 Unless paragraph 9.9 applies, if the complaint relates to the Headteacher, a Trustee or a Member, the Trustees (except any Trustee to whom the complaint relates) will appoint:
- a suitably skilled Trustee (except a Trustee to whom the complaint relates or who has previously been involved in the complaint); or
 - if there is no such Trustee, a suitably skilled, independent investigator (who may be a governor or Trustee of another school),
- to handle and assess the complaint under Stage 2.
- 9.9 If the complaint relates to both the Chair of Trustees and the Vice-Chair of Trustees, or to more than half of the Trustees, the Trustees will, as soon as reasonably practicable, appoint a suitably skilled, independent investigator (who may be a governor or Trustee of another school) to handle and assess the complaint under Stage 2.
- 9.10 In any other case, the Headteacher will handle and assess the complaint under Stage 2.
- 9.11 The person handling and assessing the complaint is referred to in this procedure as the “**Investigator**”.
- 9.12 The Investigator will take such actions as they believe are appropriate to handle the complaint, including any proposed resolution. The Investigator has complete discretion in this regard, but actions may include:

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- seeking written clarification on any aspect of the complaint, including (but not limited to) the nature of the complaint, which aspects are unresolved following Stage 1, and the desired outcome(s);
- requesting further materials, information or evidence to substantiate the complaint;
- convening face-to-face meetings with any person; and
- conducting or commissioning a formal interview of any person (allowing that person to be accompanied, if they wish).

9.13 The Investigator will ensure that a written record is kept of all meetings and interviews undertaken in connection with a complaint under Stage 2.


9.14 The Investigator may delegate any part of handling a complaint to any member of the School's senior leadership team, other than a person to whom the complaint relates. However, the Investigator remains responsible for assessing and taking a final decision in relation to the complaint and may not delegate this responsibility to any person.

9.15 If the Investigator is the Headteacher or a Trustee, they will provide the complainant with a formal written response to the complaint within **20 School Days** of the date of receipt of the complaint.

9.16 In any other case, the Investigator will be instructed to deliver, to the Headteacher and the Board of Trustees, their formal written response to the complaint (including their recommendation as to any actions to be taken) within **15 School Days** of the date on which the School received the complaint. The School will inform the complainant of the Investigator's response as soon as practicable (and, in any event, within **five School Days**) after receiving that response. If possible, the School will provide the complainant with a copy of the Investigator's response. In some cases, it may not be possible to provide a copy of the response, such as where to do so may breach confidentiality or data protection requirements. In that case, the School may provide a redacted copy, or a summary, of the Investigator's response.

9.17 In some cases, the Investigator may not be able to deliver their response within the relevant time frame above. This may include (but is not limited to) where:

- the complaint is particularly complex or serious;
- the Investigator is unable to gain access to any information or person required to further their assessment but they believe they will be able to obtain access within a reasonable further period;
- the Investigator has been appointed under paragraph 9.9 and cannot conclude their assessment within the required time frame due to time required to formalise their appointment;
- it is necessary to involve external bodies in connection with the complaint, such as the local authority, the Department for Education, ESFA, the police, or any court or tribunal.

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9.18 If the Investigator cannot deliver their response within the relevant time frame, the School will provide the complainant with an update on the progress of the complaint, including (if possible) an indication of when a decision is likely to be received.

9.19 The formal response to the complainant will set out the actions taken to investigate the complaint, a full explanation of the decision reached, the reasons for the decision and any actions it is recommended the School take to address the complaint.

9.20 The School will also inform the complainant that, if the complaint remains unresolved, the complaint may advance the complaint to Stage 3.

10 Stage 3 – Panel hearing

10.1 A complaint may not be advanced to Stage 3 unless Stage 2 has been completed.

10.2 A request to advance a complaint to Stage 3 must be made in writing and delivered via the school office (either on paper or electronically), marked “Private and Confidential” and for the attention of the Governance Professional (Clerk) to the Trustees.

10.3 The request must be made not more than **five School Days** after the complainant receives a formal response under Stage 2. A request made beyond this time frame will be considered “**out of time**”.

10.4 The School may consider a request made out of time but is not required to do so and will do so only in exceptional circumstances. The decision whether or not to consider a request made out of time is at the absolute discretion of the School.

10.5 The Governance Professional (Clerk) will acknowledge receipt of the request in writing within **five School Days**.


10.6 The Trustees will form a panel in accordance with this Procedure to hear the request (the “**Panel**”). The Panel, once formed, will elect one of their number to act as chair of the Panel.

10.7 Unless paragraph 10.8 applies, the Panel will comprise three Trustees. At least one of those Trustees must be independent of the managing and running of the School. No Trustee may serve on the Panel if the complaint relates to them or if they have been directly involved in the matters detailed in the complaint or in handling or assessing the complaint in any way under Stage 2.

10.8 If the complaint relates to both the Chair of Trustees and the Vice-Chair of Trustees, or to more than half of the Trustees, the Trustees will, as soon as reasonably practicable, appoint three suitably skilled, independent persons (who may be governors or Trustees of another school) to sit on the Panel.

10.9 The Governance Professional (Clerk) will aim to convene the hearing to take place within **25 School Days** of the date of the complainant’s request.

10.10 The Governance Professional (Clerk) will inform the complainant of the date proposed for the hearing. The complainant may decline that date and request a different date, in which case the Governance

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Professional (Clerk) will propose an alternative date for the hearing and this paragraph 10.10 will apply in relation to that alternative date.

10.11 If the complainant declines the third proposed date for the hearing without advancing a compelling reason for doing so, the Governance Professional (Clerk) may hold the hearing on that date, in which case the hearing will proceed in the complainant's absence.

10.12 If the complainant does not decline the date for a hearing more than 48 hours before that date, the complainant will be taken to have accepted that date as the date for the hearing.

10.13 The hearing will take place physically unless the Governance Professional (Clerk) decides otherwise. The Governance Professional (Clerk) will not permit a meeting to take place partially or wholly by electronic means unless this is justified and appropriate in all the circumstances. In deciding whether this is the case, the Governance Professional (Clerk) will have regard to section 14 of this procedure.

10.14 A hearing may take place over multiple dates if the Panel decides this is appropriate. In this case, the Governance Professional (Clerk) will propose a series of dates, and paragraph 10.10 will apply as if that series of dates were a single date.

10.15 At least **10 School Days** before the date of the hearing, the Governance Professional (Clerk) will:


- confirm in writing to the complainant, the School and each other person (if any) who is the subject to the complaint (the "**Parties**") the date, time and venue for the hearing (or, if the hearing is to take place electronically, how participants can attend the hearing); and
- invite each Party to make any written submissions and provide any supporting evidence to the Panel at least **seven School Days** before the hearing.

10.16 The Governance Professional (Clerk) will circulate any written submissions received pursuant to paragraph 10.15 to each Party at least **five School Days** before the date of the hearing.

10.17 Each Party is entitled to attend the hearing. However, the hearing shall proceed in the absence of a Party if they fail to attend when they have been permitted to do so.

10.18 The Panel will determine the format and procedure of the hearing based on the circumstances. This may vary from case to case, but generally the Panel will seek to institute a format and procedure under which:

- each individual will have the opportunity to give statements and present evidence;
- witnesses may be called (if appropriate) to present evidence;
- the Panel and the Parties will be permitted to ask and reply to questions; and
- once the Parties have presented their cases, they will be asked to leave and the Panel will consider the evidence.

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10.19 Each Party is entitled to be accompanied at the hearing by someone who will provide support (normally, a relative or friend). The School does not generally encourage Parties to bring legal representatives to the hearing, as the hearing is not a legal proceeding.

10.20 The hearing will be held in private. No representative of the media may attend the hearing. No audio or video recording of the hearing will be made unless:

- all Parties consent to this in writing; or
- the Panel decides it is necessary to do so, having regard to section 14 of this procedure, and the Governance Professional (Clerk) or Panel informs each Party of this in advance.

10.21 The Panel will consider all submissions and evidence provided to it in connection with the complaint in accordance with this Procedure, subject to the following.

- The Panel will not normally accept as evidence any audio or video recording of any conversation that was obtained covertly and without the informed consent of all persons being recorded.
- The Panel will not consider any evidence that has no connection to the complaint.
- No new complaint may be introduced at the hearing. If the complainant wishes to raise a new complaint, they will need to initiate that complaint at Stage 1 under this procedure.

10.22 The Panel may uphold or dismiss the complaint as a whole, or uphold it in part and dismiss it in part.

10.23 If the Panel upholds the complaint as a whole or in part, it will decide on the appropriate action to be taken to address the complaint and, where appropriate, recommend changes to the School's systems or procedures to prevent similar issues in the future.


10.24 Within **five School Days** of the date of the hearing (or, if the hearing takes places over multiple dates, of the last of those dates), the chair of the Panel will:

- provide each Party with a written explanation of the Panel's decision, including the reasons for that decision and the actions the Panel has determined to address the complaint; and
- provide the complainant with details of how to contact ESFA if they are dissatisfied with the way their complaint has been handled.

10.25 The Panel will ensure that its decision is available for inspection on the School's premises by the Headteacher and to any Trustee or Member on request.

11 **Stage 4 – ESFA**

11.1 This Stage applies if Stage 3 of this procedure has been concluded.

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11.2 If the complainant feels that the School has not handled their complaint in accordance with this Procedure or that the School has acted unlawfully or unreasonably in the exercise of its duties under education law, the complainant may contact ESFA.

11.3 ESFA will not normally reinvestigate the substance of a complaint or overturn any decision made by the School. ESFA will consider whether the School adhered to education legislation and any statutory policies connected with the complaint and whether it followed Part 7 of the Schedule to the Education (Independent School Standards) Regulations 2014.

11.4 For details of how to refer a complaint to ESFA, a complainant should consult the Government guidance at <http://www.education.gov.uk/contactus>.

12 Resolving complaints

12.1 The School is committed to resolving all complaints efficiently, constructively and openly.

12.2 Where appropriate, the School will acknowledge a complaint that has been upheld as a whole or in part and may offer one or more of the following:

- An explanation.
- An admission that the situation could have been handled differently or better.
- An assurance that the School will try to ensure that the event in question will not happen again.
- An explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the time frame within which any changes will be made.
- An undertaking to review school policies in light of the complaint.
- An apology.


13 Withdrawing a complaint

13.1 A complainant may withdraw a complaint at any time.

13.2 If a complainant withdraws a complaint other than in writing, the School will ask the complainant to confirm that withdrawal in writing and invite the complainant to explain why they have withdrawn the complaint.

13.3 On the withdrawal of a complaint, all actions, steps and proceedings being taken in relation to the complaint will cease (except for all records to be kept under this Procedure).

13.4 A complainant may not make a complaint that is the same as or substantially similar to a complaint they have previously withdrawn, unless the School permits this. The School will permit this only in exceptional cases, such as where material new information has come to light since the complaint was

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withdrawn or where the complainant can show that they unwillingly withdrew the complaint under pressure or undue influence.

14 Reasonable adjustments

14.1 The School is committed to equality and combatting discrimination and will consider reasonable adjustments that may be necessary to enable a complainant to access and complete this procedure.


14.2 Any adjustments will be tailored and proportionate, taking into account the nature and subject of the complaint, the complainant's circumstances, the applicable stage of the complaint procedure and the likely cost to the School of the adjustment.

14.3 Subject to complying with equality law, the School has discretion over what reasonable adjustments, if any, to implement. Adjustments which the School may (but is not required to) consider include:

- providing documents, information or template forms in alternative formats;
- providing assistance to a complainant who is unable to submit their complaint in writing (but only assistance designed to ensure the complaint is ultimately formulated in writing);
- permitting an individual to provide information through a meeting with the School rather than in writing, instructing a clerk to take notes and providing the individual with a copy of those notes;
- permitting an interpreter (including a sign language interpreter), occupational therapist or medical professional retained by an individual to attend any meeting, interview or proceedings;
- holding any meetings, interviews or proceedings in an accessible location, or permitting a meeting, interview or proceedings to take place via electronic means (provided that, in so doing, the confidentiality of the meeting, interview or proceedings can be preserved);
- scheduling any meeting, interview, proceedings or deadline so as not to conflict with medical or social care appointments;
- delivering and explaining any response to the complaint orally or visually (but without being required to provide any information or explanation that is not set out in any written response);
- providing signposts to independent support, including Citizens Advice or advocacy services.

15 Former Pupils

15.1 This Procedure applies to any complaint made by or on behalf of a former Pupil (provided that the complaint is not out of time). However, the purpose of this Procedure is to ensure that action can be taken to address errors and remedy any injustice. In the case of a former Pupil, it is difficult or impossible for the School to provide a remedy that will directly benefit that former Pupil or the complainant.

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15.2 However, as the Trustees have a duty of care to pupils who remain on roll, where a child has left the School, the School will ensure that the circumstances of any complaint made are reviewed so that the Trustees are satisfied that the School has acted appropriately and that the relevant policies and procedures have been followed correctly.

15.3 If the Pupil no longer attends the School but remains on roll with the School, the School will ensure that the circumstances of any complaint made are reviewed so that the Trustees are satisfied that the School has acted appropriately and that the relevant policies and procedures had been followed correctly.

15.4 If the Pupil no longer attends and is no longer on roll with the School, the Chair of Trustees may, in their discretion, decide that a complaint shall be handled with some or all of the following modifications:

- If the Headteacher would be the Investigator under Stage 2 of this procedure, the Investigator shall instead be appointed under paragraph 9.8.
- References to “the School” in paragraph 9.17 should instead be read as references to “the Chair of Trustees or the Investigator (if the Investigator is a Trustee)”.

16 General provisions

16.1 The School will apply this Procedure to a complaint in a manner most appropriate to the circumstances. As a starting point, the School will have regard to Appendix C, which sets out the expected roles and responsibilities of certain persons involved in the handling of a complaint.


16.2 If other bodies are investigating aspects of a complaint (such as the police, local authority safeguarding teams or tribunals), the School’s ability to adhere to the timescales in this Procedure may be impacted and it may need to suspend this Procedure until those public bodies have completed their investigations.

16.3 Except where this Procedure requires otherwise, any material or communication required by this Policy to be in writing may be in physical or electronic form and may be delivered by hand, by post or by email.

16.4 A written record will be kept of every complaint that has been escalated to Stage 2 and (if applicable) Stage 3, including whether it has been resolved and what actions have been recommended and taken in relation to it.


16.5 All correspondence, statements, records and other material relating to a complaint 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.

16.6 The School or any Panel may take such action as it considers, in its complete discretion, appropriate and proportionate to deal with any vexatious complaint or behaviour in accordance with the School’s policy on vexatious behaviour in Appendix D. In doing so, it will consider all the circumstances, recognising that a complainant may act out of character in times of stress, anxiety or distress, and may make reasonable allowances, but will weigh this against the potential for harm or distress to others,

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whether or not directly involved in the complaint and, in the event of doubt, give priority to preventing any such harm or distress.

- 16.7 The School will document all instances of actual or threatened violence, intimidation, harassment and abusive, aggressive, derogative, defamatory or discriminatory behaviour or language.
- 16.8 The School reserves the right to refer a matter to the police in the event of any behaviour in connection with the complaint or its handling under this Procedure that does or may amount to a criminal offence.


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Appendix A


Complaints outside the scope of this Procedure

The following types of complaint are subject to specific statutory procedures and fall outside the scope of this Procedure. A complaint described below should instead be raised using the appropriate channel below.

Nature of complaint	Appropriate channel
Admissions to the School	These should be raised with Hertfordshire County Council.
Statutory assessments of special education needs	These should be raised with Hertfordshire County Council. However, this Procedure does cover complaints by Parents of Pupils with special educational needs and/or disabilities (SEND), in which case this procedure will be followed alongside the School's SEND policy.
School re-organisation proposals	These should be raised with Hertfordshire County Council.
Child protection	Complaints about child protection matters are handled under the School's child protection and safeguarding policy and procedures and in accordance with relevant statutory guidance. Serious concerns can be directed to the local authority designated officer (LADO), who has local responsibility for safeguarding, or to the Multi-Agency Safeguarding Hub (MASH). The relevant contact details are: Phone: 0300 123 4043 Email: contact@hertfordshire.gov.uk
Suspension and exclusion of children from school	Further information about raising concerns or complaints about suspensions and exclusions (whether fixed-term or permanent) can be found at http://www.gov.uk/school-discipline-exclusions/exclusions . (However, a complaint about the application of the School's behaviour policy may be raised through this complaints Procedure.)
Whistleblowing	The School has a separate, internal whistleblowing procedure for its employees (including temporary staff and contractors). Whistleblowing concerns should be raised through that procedure. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters directly with their employer. Referrals can be made at http://www.education.gov.uk/contactus .

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Nature of complaint	Appropriate channel
	<p>Volunteer staff are not employees for this purpose and should raise any concerns or complaints through this complaints Procedure, or directly to the local authority or the Department for Education, depending on the nature of the complaint.</p>
Staff grievances	<p>Complaints from staff will be dealt with under the School's staff grievance procedure.</p>
Staff conduct	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>

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Appendix B

Complaint form

Where possible, a complainant should notify their complaint using this form. A complainant may notify a complaint in any other written form, but the School may reject the complaint if the notification does not contain the information required by this form. The school will provide an electronic version of this form on request.

Your name:
Student's name (if relevant):
Your relationship to the student (if relevant):
Address:
Postcode:
Daytime telephone number:
Evening telephone number:
Email address:



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Please give details of your complaint, including whether you have spoken to anybody at the school about it.

What actions do you feel might resolve the problem at this stage?



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Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use


Date acknowledgement sent:

By whom:

Complaint referred to:

Action taken:

Date:

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Appendix C

Roles and responsibilities under this Procedure

1 Complainant

1.1 A complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible;
- co-operate with the School in seeking a solution to the complaint;
- respond promptly to requests for information or meetings or in agreeing the details of the complaint;
- ask for assistance as needed;
- treat all those involved in the complaint with respect;
- refrain from publicising the details of their complaint on social media and respect confidentiality.


1.2 If a complainant fails to follow any of the above, the School may need to suspend its consideration of their complaint, either temporarily or permanently, depending on the nature of the complainant's behaviour and how this affects the School's handling of the complaint. In such circumstances, the School also reserves the right to invoke its Policy and Procedure for Managing Persistent and Vexatious Behaviour and Complaints (see Appendix D).

2 Investigator

2.1 The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved;
 - interviewing staff and children/young people and other people relevant to the complaint;
 - considering records and other relevant information; and
 - analysing information; and
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

2.2 The investigator should:

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- conduct interviews with an open mind and be prepared to persist in the questioning;
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting;
- ensure that any papers produced during the investigation are kept securely pending any appeal;
- be mindful of the timescales to respond; and
- prepare a comprehensive report for the Headteacher or Panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

2.3 The Headteacher or Panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

3 Complaints co-ordinator

3.1 The complaints co-ordinator could be the Headteacher, any designated complaints Trustee, or any other staff member providing administrative support.


3.2 The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the Procedure ;
- liaise with staff members, the Headteacher, the Chair of Trustees or the Governance Professional (Clerk) to ensure the smooth running of the complaints Procedure;
- be aware of issues regarding sharing third party information or around additional support (which may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person); and
- keep records.

4 Governance Professional (Clerk)

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint Procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulation (GDPR);
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible;
- collate any written material relevant to the complaint and send it to the parties in advance of the meeting within an agreed timescale;

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- record the proceedings (if applicable);
- circulate the minutes of all meetings and proceedings; and
- notify relevant parties of all decisions.

5 Panel Chair


The Panel Chair should ensure that:

- Parties are asked (via the Governance Professional (Clerk)) to provide any additional information relating to the complaint by a specified date in advance of the hearing;
- the hearing is conducted in an informal manner and is not adversarial, and that all participants are treated with respect and courtesy;
- complainants who may not be used to speaking at such a hearing are put at ease, particularly important if the complainant is a child or young person;
- the remit of the committee is explained to the complainant;
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the any applicable legislation;
- if a new issue arises, everyone has an opportunity to consider and comment on it, providing a short adjournment of the meeting (if required);
- both Parties are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself;
- the issues are addressed;
- key findings of fact are made;
- the Panel is open-minded and acts independently;
- no member of the Panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- the meeting is minuted; and
- they liaise with the Governance Professional (Clerk) and any complaints co-ordinator.


6 Panel members

Panel members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so;

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- no Trustee may sit on the Panel if they have had a prior involvement in the complaint or in the circumstances surrounding it;
- the aim of the hearing is to resolve the complaint and achieve reconciliation between the School and the complainant, recognising that the complainant might not be satisfied with the outcome if the Panel does not find in their favour, and that it may only be possible to establish the facts and make recommendations.
- many complainants will feel nervous and inhibited in a formal setting;
- Parents often feel emotional when discussing an issue that affects their child;
- extra care is required when a complainant is a child or young person and present during all or part of the hearing;
- careful consideration of the atmosphere and proceedings is required to ensure a child or young person does not feel intimidated;
- the Panel should respect the views of the child or young person and give them equal consideration to those of adults;
- if the complainant is a child or young person, the Panel should ask in advance if any support is needed to help them present their complaint;
- if the complainant is a Parent, the Panel should give them the opportunity to say which parts of the hearing (if any) the Pupil needs to attend, but noting that a Parent should be advised that agreement might not always be possible if the Parent wishes the Pupil to attend a part of the hearing but the Panel considers this is not in the Pupil's best interests; and
- the welfare of the child or young person is paramount.

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Appendix D


Policy for persistent and vexatious behaviour and complaints

1. Beaumont School (the “**School**”) is committed to dealing with all complaints fairly and impartially and in accordance with the complaints Policy and Procedure that the Board of Trustees has adopted.
2. The School will not normally limit the amount of contact that complainants have with the School. However, the School does not expect its staff to tolerate unreasonable behaviour and will take decisive action to protect staff from such behaviour, including any the School deems to be abusive, offensive or threatening.
3. The School defines “**unreasonable behaviour**” as behaviour that affects the School’s smooth and efficient running on a daily basis, which hinders the School’s consideration of a complaint, or which is otherwise vexatious, due to the nature of the complaint or the complainant’s contact with the School.
4. The School has complete discretion (but will act reasonably) in deciding whether a complainant’s behaviour is unreasonable. However, the following are likely to be indications of unreasonable behaviour:
 - The complainant refuses to articulate the grounds of the complaint or the outcomes they are seeking, despite offers of assistance and reasonable efforts by the School to help them specify their concerns.
 - The complainant refuses to co-operate with the complaints Procedure in any respect.
 - The complainant attempts to pursue a complaint, or refuses to accept that a complaint or any issue raised in a complaint, is not within the scope of the School’s complaints Procedure.
 - The complainant makes unreasonable demands in their complaint or at any stage of the complaints Procedure, including in relation to the outcomes they seek or how the complaint is to be handled (including insisting that it be handled in a way that is incompatible with the complaints Procedure or good practice or in a way that suits only themselves).
 - The complainant introduces, focusses on or insists that the School address irrelevant information or a trivial matter that is out of proportion to its significance, particularly if that information or matter has been dismissed or already addressed.
 - The complainant raises detailed but unimportant questions and insists on full answers within short order or to the complainant’s own timescale.
 - The complainant makes unfounded complaints about staff or any other individual or attempts to use the complaints Procedure to engineer the replacement of any member of staff.
 - The complainant changes the substance of a complaint during the Procedure, continually raises new issues, or tries to prolong contact by raising further concerns or questions on receipt of a response.
 - The complainant persistently pursues a complaint, or refuses to accept the outcome of a complaint, where this Procedure has been fully and properly implemented and exhausted or the complainant has


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already exhausted other statutory routes, or makes any new complaint that is substantially similar to such a complaint.

- The complainant is unwilling to accept documented evidence of action, denies the authenticity of any submissions or evidence without providing supporting counterevidence, or refuses to acknowledge the suitability, qualifications or authority of any person(s) handling any aspect of the complaint.
 - The complainant seeks an outcome to the complaint that is unrealistic or impracticable.
 - The complainant engages in excessive contact with or places excessive or unreasonable demands on the School or any other person handling or assessing the complaint, including where that contact is unduly frequent, lengthy, complex or stress-inducing.
 - The complainant engages in erratic contact with the School that disrupts the complaints Procedure.
 - The complainant knowingly or recklessly provides false or misleading information.
 - The complainant denies receiving an adequate response despite correspondence demonstrating that a response has been given specifically answering their questions.
 - The complainant records any meeting, interview, conversation, hearing or proceedings covertly and without the prior knowledge or consent of any participant.
 - The complainant threatens or uses violence against, or otherwise intimidates or harasses, any person in connection with the complaint.
 - The complainant uses abusive, aggressive, derogative, defamatory or discriminatory behaviour or language towards any person in connection with the complaint.
 - The complainant attempts to place pressure or to influence any person in connection with the complaint.
 - The complainant attempts to make direct contact with the Investigator or any person sitting on the Panel, other than as part of any meeting, interview or hearing organised by the Investigator or the Panel, when invited by the Investigator or the Panel to do so, or when required or permitted by this procedure.
 - While the complaint is being handled, the complainant makes contact with any other person at the School, or with the local authority, the Department for Education, Ofsted, ESFA or any other government agency in connection with the complaint in an attempt to elicit a different or favourable response.
 - The complainant makes any publication in relation to the complaint on social media or other platforms.
5. A complainant should try to limit their communication with the School in relation to their complaint while it is being handled under the complaints Procedure. Repeated correspondence with the School may delay the outcome of the Procedure.

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6. Wherever possible, the Headteacher or Chair of Trustees will discuss any concerns with a complainant before invoking this policy for managing persistent and vexatious behaviour and complaints.
7. If unreasonable behaviour continues after the Headteacher or Chair of Trustees has spoken informally with the complainant, the Headteacher will confirm to the complainant in writing that the School deems their behaviour to be unreasonable, explain the behaviour that has given rise to that decision, and request that they cease the behaviour in question.
8. If the complainant continues to demonstrate unreasonable behaviour, the School may impose restrictions on contact between the complainant and the School, which may include (but is not limited to):
 - Requiring that contact between the complainant and the School take place only in a particular form or through a particular channel or intermediary or designated member of School staff or Trustee.
 - Restricting telephone calls to specified days and/or times.
 - Temporarily suspending all contact with the complainant in connection with the complaint.
 - Suspending any action or step to be taken under the School's complaints Procedure.
 - Requiring the complainant to enter into an agreement about their future contact with the School.
 - Refusing to allow the complainant to attend any meeting, interview, hearing or other proceedings which the complainant would otherwise be entitled to attend.
 - Informing the complainant that further correspondence that does not present significant new matters or new information will be kept on file but will not be acknowledged or responded to.
 - Informing the complainant that the complaint has been exhaustively dealt with under the complaints Procedure, that contact in relation to the complaint has ended and that further communications from the complainant relating to the complaint will not be answered and may not be acknowledged.
 - Terminating the complaints Procedure and dismissing the complaint summarily.
9. If the complainant exhibits any behaviour that is aggressive or violent, that may amount to an offence or that may place the safety, security and wellbeing of staff or Pupils at risk, the School may take measures to mitigate or address that behaviour. These may include (but are not limited to):
 - Informing the police and/or any appropriate local or central government authority.
 - Prohibiting the complainant from entering School premises (in line with government guidance "Controlling access to school premises" (<https://www.gov.uk/government/publications/controlling-access-to-school-premises/controlling-access-to-school-premises>)).

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10. A decision to impose restrictions is final and is not subject to the School's complaints Procedure.
11. If the School imposes restrictions under this policy, the Headteacher or Chair of Trustees will review the restrictions after six months. If the complainant's behaviour has remained unreasonable or become more unreasonable, the Headteacher or Chair of Trustees may extend the restrictions for a further six months. This procedure will continue each six months until the restrictions are lifted.
12. The School may lift restrictions imposed under this policy and procedure once it is satisfied that the complainant's behaviour has improved to a level deemed acceptable by the School.
13. The School may reinstate restrictions, or impose new restrictions, on a complainant under this policy and procedure in response to further unreasonable behaviour.
14. The School may use and adapt this policy and procedure as it deems appropriate to manage unreasonable or persistent contact not directly associated with, or resulting from, a formal complaint.