



## Brentwood School Complaints Procedure

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## **COMPLAINTS PROCEDURE**

*This procedure is applicable to the parents and guardians of all current pupils, including boarders and those in the Early Years Foundation Stage (EYFS).*

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## Introduction

Brentwood School has long prided itself on the quality of the teaching and pastoral care provided to its pupils. If parents do have a complaint, it will be treated by the School with care in accordance with this procedure, which is available to all parents of pupils on the School's website and on application to the School Office during the school day.

The Procedure is applicable to the parents and guardians of all pupils, including boarders and those in the Early Years Foundation Stage (EYFS).

In accordance with paragraph 32(1)(b) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, Brentwood School will make available to parents of pupils and parents of prospective pupils and on request, provide 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.

## What Constitutes a Complaint?

A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the School as a whole, about a specific department, or about an individual member of staff. 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.

**Parents can be assured that all complaints will be treated seriously and confidentially. The School is here to support your child and you can be assured that your child will not be penalised for a complaint that you, or your child, raise in good faith.**

## Complaints relating to Child Protection

Any complaint about the conduct of a member of staff must be directed immediately to the Headmaster of Brentwood School. Other complaints about Child Protection should be directed to one of the three Designated Safeguarding Leads for Child Protection (DSLs) in the School:

- **Mrs Nicola Jenkin**, Senior Deputy Head, Pastoral (Senior School)
- **Mrs Susannah Trowell**, Deputy Head, Pastoral (Prep School)
- **Mrs Roz Townsend** - Director of EYFS (DSL responsible for the EYFS)

## Deputy Designated Safeguarding Leads:

- **Miss Rachel Bishop** (Director of Pastoral Care and Safeguarding)
- **Mrs Suzanne Bond** (Pastoral Mentor, Senior School and Deputy Head of Year 7 and Y6-7 transition)
- **Mrs Michelle Carabache** (Boarding Houseparent Mill Hill)
- **Ms Natalie Dacosta** (Pastoral Mentor, Sixth Form)
- **Mrs Jenny Edwards** (Pastoral Mentor, Senior School)
- **Mrs Jag Khush** (Head of Year, Senior School)
- **Mr Timothy Sawyer** (Deputy Head, Operations and Co-Curricular, Prep School)
- **Mr Sarb Singh** (Head of ITSS)
- **Mr Chris Smith** (Director of Pupil Wellbeing and Senior Mental Health Lead)

## Appeals against Internal Assessment of Work for External Examinations

Appeals against the procedures used in internal assessments will be conducted in accordance with the Internal Assessment Appeals Procedure, which is available on the School website.

## Retention of Complaints records

The School will retain a written record of all formal complaints and whether they are resolved at the formal stage or proceed to a panel hearing. A written record will be kept of action taken by the School as a result of these complaints regardless of whether they are upheld. In addition, the record will identify where these complaints relate to the Boarding or EYFS provisions. Records may be kept of other concerns or complaints resolved at the preliminary stage, where deemed appropriate.

The School processes data in accordance with our Privacy Notice. When dealing with complaints, the School (including any panel member appointed under the Stage 3 process) may process a range of information, which is likely to include the following:

- Date when the issue was raised
- Name of parent
- Name of pupil
- Description of the issue
- Records of all the investigations (where appropriate)
- Witness statements (where appropriate)
- Name of member(s) of staff handling the issue at each stage
- Copies of correspondence on the issue (including emails and records of phone conversations)
- Notes of the hearing (where appropriate)
- The written decision of the Headmaster, Chairman or Panel.

In accordance with DfE guidance, the School will retain records of formal complaints and panel hearings for a minimum of 7 years.

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.

## Timeframe for Dealing with Complaints

All complaints will be handled seriously and sensitively. They will be acknowledged within **24 hours on a working day** if received during term time and as soon as practicable during holiday periods.

It is in everyone's interest to resolve a complaint as speedily as possible: the School's target is to complete the first stage of the procedure **within 5 working days** and the second stage **within 20 working days** if the complaint is lodged during full term time and as soon as practicable during holiday periods. The Appeal Panel Hearing will be completed within a

**further 20 working days**, if the appeal is lodged during full term time and as soon as practicable during holiday periods.

For the purposes of this Procedure “working day” means Mondays to Fridays in full term time, excluding bank holidays; out of term time the matter will be dealt with as soon as possible subject to the availability of academic staff.

### **STAGE 1 – Informal Resolution: Referral To Appropriate Member Of Staff**

- It is hoped that most complaints will be resolved quickly and informally.

#### **For The Senior School**

- If parents have a concern or complaint they should normally contact their son or daughter’s Form Tutor by email to arrange a meeting or obtain clarification, as appropriate. Staff will normally respond **within 24 hours** but may not be able to deal with emails while they are teaching or are away from the school site.
- In many cases, the matter will be resolved straightaway to the parents’ satisfaction. If the Form Tutor cannot resolve the matter alone, it may be necessary for him/her to consult the Head of Year, Head of Department, Head of House or Deputy Head as appropriate.
- Complaints raised directly with a senior member of staff will usually be referred to the relevant Form Tutor or Subject Teacher unless they deem it appropriate to deal with the matter personally.
- Each member of staff will make a written record of all complaints and the date on which they were received.
- If parents feel that their complaint is not receiving suitable attention or do not know to whom a complaint should be addressed, they should contact the Deputy Head (Pastoral), the Deputy Head (Academic) or the Deputy Head (Co-Curricular), as appropriate, who will ensure that it is dealt with by the most suitable person in a timely manner.
- Should the matter not be resolved within 5 working days, or in the event that the member of staff 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 procedure.**
- If the complaint is against the Headmaster, parents should make their complaint directly to the Chairman of Governors whose contact details are available from the School office.

## For The Preparatory School

- If parents have a complaint they should normally contact their son or daughter's Class Teacher/Form Teacher. In many cases, the matter will be resolved straightaway to the parents' satisfaction. If the Class Teacher/Form Teacher cannot resolve the matter alone, it may be necessary for him/her to refer it to the appropriate Head of Year or Headmaster of the Preparatory School.
- Complaints raised directly with a Head of Year or Headmaster of the Preparatory School will usually be referred to the relevant Form Teacher/Class Teacher unless they deem it appropriate to deal with the matter personally.
- Each member of staff will make a written record of complaints and the date on which they were received.
- If parents feel that their complaint is not receiving suitable attention or do not know to whom a complaint should be addressed, they should contact the Head of the Preparatory School who will ensure that it is dealt with by the most suitable person in a timely manner.
- If the complaint is against the Head of the Preparatory School, parents should make their complaint directly to the Headmaster of Brentwood School.
- Should the matter not be resolved **within 5 working days**, or in the event that a parent is not satisfied with the response, **then parents will be advised to proceed with their complaint in accordance with Stage 2 of this Procedure.**

## STAGE 2: Formal Resolution

- If the complaint cannot be resolved on an informal basis then the parent should write their complaint to the Headmaster of Brentwood School, stating the nature of their complaint and the outcome they are seeking. The Head will decide, after considering the complaint, the appropriate course of action to take.
- If the parent has raised a complaint directly with the Headmaster, without going through the informal part of the procedure, the Headmaster may deem it appropriate to refer the complaint to an appropriate member of staff to deal with under the Informal Stage.
- In most cases, the Headmaster will speak to/offer to meet with the parent to discuss the matter, normally **within 5 working days**. If possible a resolution will be reached at this stage.
- It may be necessary for the Headmaster to carry out further investigations.
- The Headmaster will **keep written records** of all meetings and interviews held in relation to the complaint.
- Once the Headmaster is satisfied that, so far as is practicable, all the relevant facts have been established, he will inform the parent of his decision in writing, normally

**within 3 working days** of meeting with the parent. The Headmaster will give reasons for his decision.

- If the complaint is against the Headmaster, the complaint should be made to the Chairman of Governors who may be contacted via the Bursar/Clerk to the Governors. The Chairman of Governors will nominate a Governor to review the complaint. The nominated Governor will call for a full report from the Headmaster and for all the relevant documents. The nominated Governor 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 nominated Governor 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 nominated Governor will give reasons for his/her decision.
- If the parent is still not satisfied with the school's response to their complaint at Stage 2, they may seek a panel hearing in accordance with Stage 3 of this procedure.

### **STAGE 3: Panel Hearing**

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they should send written notice to the Clerk to the Governors. The notice, together with a completed Appeal Proforma (Annex A), should be sent **within 7 working days** from the date upon which the decision was communicated or, if later, the date of receipt of the letter confirming the Headmaster's or nominated Governor's decision.
- The notice of appeal must:
  - a) Set out all the reasons why the parent considers the decision is wrong;
  - b) Include the completed Proforma outlining the grounds for the appeal;
  - c) Have attached all documents on which the parent intends to rely; and
  - d) Specify the outcome the parent is seeking.
- The Clerk shall deliver a copy of the notice of appeal to the Chairman who will refer the matter to a Panel for consideration.
- The Panel will consist of three persons not directly involved in the matters detailed in the complaint. At least one member of the Panel shall be independent of the management and running of the School. Each of the Panel members shall be appointed by the Chairman or (in his absence) the Vice-Chairman of the Governors of Brentwood School, who shall also nominate one member of the Panel to chair the Panel.
- The Clerk to the Governors, on behalf of the Panel, will then acknowledge the complaint and will provide the parent, the Panel and the Headmaster with a copy of the Hearing Procedures. The Clerk will schedule a hearing to take place as soon as reasonably practicable and normally **within 10 working days** of the Clerk's receipt of the complaint.
- Where a complaint that reaches the Panel is brought by one parent only, the School will (save in exceptional circumstances) keep informed and invite to attend the Panel hearing any other adult who entered into the contract with the School for the education of the relevant pupil. The School has a duty to keep informed and invite to

attend the Panel hearing any other adult whom the School believes to have parental responsibility for the relevant pupil.

- In the case of a complaint regarding a pupil's suspension or exclusion, the Headmaster shall have complete discretion as to whether to implement the suspension or exclusion of the pupil pending the Panel's decision. Arrangements for temporary or permanent exclusions shall follow the procedures set out in Annex C to the Behaviour Management Policies.
- If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than **5 working days prior to the hearing**.
- At least **3 working days** before the hearing, the Headmaster shall submit to the Panel a written statement setting out his views in relation to the complaint. The Clerk shall give a copy of the Headmaster's statement to the parent.
- The Panel may conduct or request that the Clerk conducts any interviews, before the hearing, as the Panel sees fit in order to clarify statements made by either the parent, the Headmaster or any witnesses.
- If the Chairman of the Panel shall so decide, the hearing may take place at a location outside the School.
- The parents may attend the hearing and be accompanied by one other person who is over the age of 18 and not a pupil at the School. This may be a relative, teacher or friend. Legal representation is not allowed without prior approval of the Chairman of the Panel.
- If possible, the Panel will resolve the complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.
- If the Chairman of the Panel shall so decide, the hearing may be recorded by a recording device or transcribed by a stenographer.
- If the Chairman of the Panel reasonably believes that the Panel should hear evidence from an individual in private (i.e. in the absence of the person bringing the complaint or any third party), he/she may so decide. In those circumstances, the parent will be given reasons for that decision. The parent will be given a summary of the individual's relevant evidence after the event if the Chairman believes the evidence to be relevant to the complaint. The Panel may withhold the identity of a pupil who gives evidence in private to the Panel.
- In all cases, the purpose of the Appeal Hearing is to decide whether the complaint has been dealt with appropriately in the circumstances. In the event of it having been dealt with inappropriately, it is within the Panel's remit to instruct the School to act in a different manner.
- After due consideration of all facts they consider relevant, **the Panel will make findings (as to whether or not the Stage 2 decision was a reasonable one) and may make recommendations**. The Panel may make decisions by majority vote.



- The Panel's findings and recommendations in relation to the complaint shall be documented in the form of a report.
- **Within 3 working days** after the hearing, the Clerk will send the parent and the Headmaster a copy of the Panel's draft report. If the Panel's decision was reached by majority vote and there was a dissenting minority, the dissenting views shall be briefly summarised in the report.
- If the parent believes that the report is not factually accurate, the parent shall inform the Clerk in writing **within 2 working days** thereafter, giving details of the alleged inaccuracies. If the Headmaster believes that the report is not factually accurate, he shall likewise inform the Clerk in writing within 2 working days thereafter, giving details of the alleged inaccuracies.
- The Panel shall then finalise its report within **2 working days**. A copy of the Panel's report will be: (i) sent by electronic mail or otherwise given to the parent and, where relevant, the person complained about; and (ii) available for inspection on School premises by the Chairman of Governors and the Headmaster.
- The decision of the Panel will be final.
- Subject to the rules set out in this Procedure, the Panel may regulate their proceedings as they see fit.

## Exclusions

Appeals against exclusion will be dealt with under the Complaints Procedure. If parents request a review by Panel Hearing, the pupil may be suspended from School until the decision to permanently exclude or remove has been set aside or upheld. While suspended, the pupil shall remain away from School and will have no right to enter School premises during that time without written permission from the Headmaster.

## Complaints By Parents Of Pupils In The Early Years Foundation Stage (Eyfs)

The procedure set out above is also applicable to parents of pupils in EYFS and the same timeframe for responding to complaints applies.

However EYFS parents may complain directly to Ofsted or ISI if they believe that the School is not meeting the EYFS requirements. Ofsted and the ISI may be contacted as follows:

Ofsted: Tel. 0300 1234 234 / Email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

Independent Schools Inspectorate (ISI): Tel. 020 7600 0100 / Email: [concerns@ISI.net](mailto:concerns@ISI.net)

Brentwood School will investigate written complaints to Ofsted or ISI relating to its fulfilment of the EYFS requirements and notify complainants of the outcome of the investigation within 28 days. The School will provide Ofsted and/or ISI, on request, with a written record of complaints made during any specified period, and the action taken as a result of each complaint. The record of all complaints in respect of EYFS is kept for at least three years.

**ANNEX A: Proforma To Accompany A Written Notice Of Appeal**

Full Name of Pupil:		Date of Birth:
Name of Parent(s):		
Parent Contact Details	Daytime telephone:	
Email:		
1. Please state the decision of the Headmaster against which the appeal is being made:		
2. Please state here precisely the grounds on which the appeal is being made. Include in your statement any matters of procedural concern that you intend to raise:		
3. List here all documents in support of your case which you would like an Appeal Panel to consider: <i>(Please number all relevant documents and include these in your written submission. In the case of electronic communications please provide printed copies. Please note that all documents to be considered by the Panel must be included within this pack – new evidence cannot normally be submitted at the time of the Appeal.)</i>		
Form continues on the next page.....		

4. Please specify the outcome you are seeking:

5. Do you and your child intend to be accompanied by anyone else at a Panel Hearing? If so, please include this person's details and their connection to your family.  
*(N.B: If this person is legally qualified please state the nature of their involvement. Legal representation requires the prior approval of the Chairman of the Panel and, in such instances, the Headmaster reserves the right to be supported in the hearing by the School's legal representatives)*

Name:	Signed:
Date:	