READING BLUE COAT

# Complaints Policy

## Introduction

Reading Blue Coat School has long prided itself on the quality of the teaching and pastoral care provided to its students. 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 to all parents of students and of prospective students on the School's website and will ensure that parents of students and of prospective students who request it are made aware that this document is published or available, of the form in which it is published or available, and of the number of complaints registered under the formal procedure during the preceding School year. In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulation 2014, the School will also make available, on request, to Ofsted, the Department for Education (DfE) or the Independent Schools Inspectorate (ISI), details of this Complaints Procedure and the number of complaints registered under the formal procedure during the preceding School year.

Although this Procedure is made available to parents of prospective students, it is not available for use by them; it may only be used by parents of current students.

Complaints by parents of former students will be dealt with under this Complaints Procedure only if the complaint was initially raised when the student to which the complaint relates was still registered as a student at the School. The only exception to this is if the complaint is a review of a decision taken by the Headmaster to permanently exclude or require the removal of a student under clause 7 of the School's *Terms and Conditions* in which case such a review must be requested by no later than five working days from the date of the decision to exclude or require the removal of a student.

The School will be mindful of its obligations under the Equality Act 2010 in the application of this policy.

"Parent(s)" means the holder(s) of parental responsibility for a current or prospective student about whom the complaint relates.

"Working days" refers to weekdays (Monday to Friday) during term time, excluding bank holidays and half term. This means that during School holidays it may take longer to resolve a complaint although the School will do what is reasonably practicable to avoid undue delay.

## 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, and any matter about which a parent is unhappy and seeks action by the School is within the scope of this procedure. 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.

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 quickly and informally.
- If parents have a complaint, they should normally contact their child's Head of Year. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Head of Year cannot resolve the matter alone it may be necessary for them to consult a Head of Department, Director of Section or Deputy Head.
- Complaints made directly to a Head of Department, Director of Section or Deputy Head will usually be referred to the relevant Head of Year unless they deem it appropriate for them to deal with the matter personally.
- The Head of Year or their nominee will make a written record of all concerns and complaints and the dates on which they were received. Should the matter not be resolved within 10 working days or in the event that the Head of Year or their nominee 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.
- If the complaint is against the Headmaster, in the first instance the parents should raise the matter directly with the Headmaster if they feel comfortable in doing so. If parents are not comfortable speaking directly to the Headmaster then the complaint should follow the Stage 2 process set out below and the complaint directed to the Chair of Governors (chair@rbcs.org.uk), copying in the Clerk to the Governors (bursar@rbcs.org.uk).

### 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. The Headmaster may require further information from the parents to help clarify the scope and nature of their concerns. The Headmaster may in some circumstances deem it appropriate to nominate a staff member to hear the complaint and manage the Stage 2 complaint process. The Headmaster (or their nominee) will decide, after considering the complaint, the appropriate course of action to take.
- Formal complaints will be acknowledged in writing by the Headmaster within two working days of being received. In most cases, the Headmaster, or their nominee, will meet with or speak to the parents concerned, within 5 working days of the complaint being acknowledged, to discuss the matter. If possible, a resolution will be reached at this stage.
- The Headmaster, or their nominee, will decide, after considering the complaint, the appropriate course of action to take. It may be necessary for further investigations to take place. The Headmaster, or their nominee, will determine who should carry out any investigation and this may be someone external to the School. Any such decision is entirely at the discretion of the Stage 2 decision maker.
- Written records of all meetings and interviews held in relation to the complaint will be taken.
- Once the Headmaster, or their nominee, is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and the parents will be informed of this decision in writing. The Headmaster, or their nominee, will also give reasons for their decision. In most cases, the Headmaster, or their nominee, will make their decisions and provide the parents with reasons within 20 working days of the complaint being put in writing (or following the provision of any further clarificatory information about the complaint to the Headmaster, or their nominee, if requested).
- If the complaint is against the Headmaster, the complaint should be made to the Chair of Governors. The Chair of Governors will nominate someone to determine the complaint. The Stage 2 process described above will then be followed as if the references to the Headmaster, or their nominee, is to the individual nominated by the Chair of Governors to determine the complaint against the Headmaster.
- If the parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

**Stage 3 – Panel Hearing**

- If the parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they should do so in writing to the Chair of Governors (chair@rbcs.org.uk), copying in the Clerk to the Governors (bursar@rbcs.org.uk) within 10 working days of receiving the decision at Stage 2, setting out their grounds of appeal with reference to the Stage 2 findings. Any supporting evidence which the parents wish to rely on should also be provided with their grounds of appeal. The Chair of Governors will acknowledge receipt of the complaint within five working days and notify the Convenor (usually the Clerk to the Governors).
- To the extent the parents are unable to provide their complaint within the time period stipulated due to extenuating circumstances which have impeded the parents from taking action, the parents should request an extension in writing. Such a request should be made to the Chair of Governors in advance of the original deadline, setting out the further time period requested and the reason for this. This will be considered by the Chair of Governors. In the event the parents are unable to provide their complaint within the time period stipulated (including to the extent applicable any extension if agreed) the School reserves the right to conclude the Complaints process and not progress the matter to Stage 3.
- The Convenor, who has been appointed by the Chair of Governors to call a hearing of the Complaints Panel, will then refer the appeal to the appointed Complaints Panel ("the Panel") for consideration.
- The Convenor, on behalf of the Panel, will schedule a hearing to take place as soon as practicable and usually within 15 working days of the request for a Stage 3 Panel Hearing being acknowledged.
- 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 will appoint one of the Panel members to act as the Chair of the Panel.
- 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 or further investigation be carried out. Copies of such particulars shall be supplied to all parties not later than 5 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. The Stage 2 decision taker shall also be entitled to be accompanied to the hearing by one other person if they wish. In both cases, this may be a relative, teacher or friend. Legal representation will not be appropriate and the companion should not be a lawyer. The identity of the companion(s) should be confirmed to the Convenor as soon as possible and by no later than 2 working days before the hearing. The Panel will decide whether it would be helpful for witnesses to attend and, if so, whether the Panel meets with them separately or with other attendees present.
- A note-taker will attend the hearing to take a note. This will not be a verbatim note but an accurate reflection of what was discussed. Notes of the hearing will be shared with attendees as soon as practicable after the hearing. To the extent there is any disagreement about the content of those notes or further comments from the parties, these will be considered by and, where possible, resolved by the Chair of the Panel. A copy of any comments on the notes will be appended to the notes.
- The remit of the Panel shall be at the discretion of the Chair of Governors and the manner in which the hearing is conducted shall be at the discretion of the Panel.
- 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.
- After due consideration of the merits of the complaint and all facts they consider relevant, the Panel will make findings as to whether or not the Stage 2 decision was a reasonable one and decide whether to:
    - dismiss the complaint(s) in whole or in part;
    - uphold the complaint(s) in whole or in part; and
    - make recommendations.
- The Panel will write to the parents informing them of its decision and the reasons for it, within 10 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 Chair of Governors and the Stage 2 decision-taker. A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the School premises by the Chair of Governors and the Headmaster.

- Any complaint about a decision taken by the Headmaster to permanently exclude or require the removal of the student under clause 7 of the School's *Terms and Conditions* will be governed by this Stage 3 of the School's Complaints Procedure. There may be circumstances in which the School consider it necessary and appropriate to deviate from the Stage 3 procedure in the context of appeals for permanent exclusion and required removal, and the School will inform the parents of this. In such circumstances, the Panel may only uphold the complaint and ask the Stage 2 decision-taker to reconsider their decision if they consider, having regard to the process followed by the Headmaster, that the Head's decision to permanently exclude / require the removal of the student was not a reasonable decision for the Headmaster to have taken.

## Timeframe for Dealing with Complaints

All complaints will be taken seriously and handled sensitively and within timescales set out in this policy, where reasonably possible. It is in everyone's interest to resolve a complaint as speedily as possible: the School's target is to complete the first two stages of the procedure within 30 working days. Stage 3, the Appeal Panel Hearing, will be completed within a further 35 working days.

During School holidays it may take longer to resolve a complaint although the School will do what is reasonably practicable to avoid undue delay. It may also take longer to resolve a complaint during periods of significant disruption to School life or as a consequence of unavoidable staff absence, however deviation from the normal timescale for resolving a complaint during term time will only occur on an exceptional basis, and the School will take all reasonable steps to limit any such delay. The School expects parents to engage in the process in a reasonable, constructive and responsive manner to help ensure matters can be dealt with in a timely way and in line with the targets set out in this procedure.

## Persistent or serial complaints

The School will do its utmost to be helpful to parents who make contact with a concern, complaint or request for information. However, there may be occasions when, despite all stages of the complaints procedure having been followed, the complainant remains dissatisfied. If a complainant attempts to re-open the same issue, the School will inform them that the procedure has been completed and that the matter is now closed. If the complainant contacts the School again on the same issue, the correspondence may then be viewed as 'serial,' 'persistent' or 'vexatious' and the School may choose not to respond. However, this will not occur until the complainant has completed the three stages of the complaints procedure. The application of a 'serial, persistent or vexatious' designation for a complaint will be against the subject of the complaint rather than the complainant themselves.

## Recording Complaints and use of personal data

Following resolution of a complaint, the School will keep a written record of all formal complaints i.e. those that progress to Stages 2 or 3 of this process and any action taken by the School as a result of the complaint (regardless of whether the complaint is upheld).

Correspondence, statements and records will be kept confidential except as required by the School by paragraph 33 (k) of Schedule 1 to the Education (Independent Schools Standards) Regulations 2014; namely, where the Secretary of State or a body conducting an inspection under section 108 or 109 of the Education and Skills Act 2008 requests access to them, or where any other legal obligations prevail. Records of individual complaints will be retained for at least seven years thereafter, in accordance with data protection principles, only for as long as is considered to be reasonably necessary in line with statutory guidance.

The School processes data in accordance with its Privacy Notice (https://rbcs.org.uk/wp-content/uploads/2025/01/Privacy-Notice-March-2024.pdf). 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 student
- Description of the issue
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name and contact details of member (s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations)
- Notes/minutes of the hearing, and
- The Panel's written decision

This may include 'special category personal data' (as further detailed in the School's *Privacy* Notice and/or *Data Protection Policy*, but potentially including, for instance, information relating to physical or mental health) where this is necessary owing to the nature of the complaint. This data will be processed in accordance with the School's *Data Protection Policy*.

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*, *Data Protection Policy* and *GDPR Retention Policy*. All records relating to complaints shall be treated as confidential. In addition to where requested by the Secretary of State or an inspector (see above), there may be other circumstances where disclosure of the substance of a complaint or particular confidential records relating to it is required, for example, where there is a legal, regulatory, safeguarding or data protection obligation (e.g., in response to a subject access request) which prevails over the requirement to maintain the records as confidential.

Individuals who believe that the School has infringed their rights under UK data protection legislation may submit a data protection complaint directly to the School, via the School's Data Protection Lead (bursar@rbcs.org.uk). Such complaints will be acknowledged within 30 calendar days and investigated in accordance with the School's data protection procedures. Further information is available in the School's *Privacy Notice*.

**Monitoring and review of the complaints policy and procedures**

The Governing Body will monitor the number and type of complaints received and the operation of the procedures set out in this policy; these are reported to Governors on a regular basis. They will also review the policy at least biennially to ensure it meets statutory requirements and continues to reflect best practice.

If a parent wishes to know the number of formal complaints received in the preceding academic year, this information is available on request from the Headmaster.

The School will provide ISI, on request, with a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint. The record of any such complaints will be kept in accordance with its *Privacy Notice* and *GDPR Retention Policy*.

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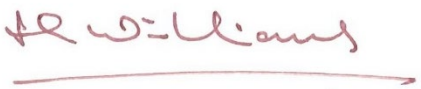
| Author(s): | Pete Thomas (Headmaster) |
| Date: | June 2025 |
| Review Frequency: | Biennial |
| Next Review Date: | May 2027 |
| Agreed by: |  |

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| | Howard Williams (Chair of Governors)<br>*on behalf of the Full Governing Board* |
| Date of Agreement: | June 2025 |