BERKHAMPSTEAD SCHOOL

AND DAY NURSERIES

Complaints Procedure & Dealing with Parental Complaints

Introduction

Berkhampstead School and Day Nurseries are committed to providing a high standard of education, care and pastoral support. We value positive relationships with parents and recognise that concerns, when raised promptly and addressed appropriately, can contribute to continuous improvement.

The School and Day Nurseries aim to resolve concerns fairly, promptly and proportionately. Complaints will be handled in accordance with this procedure and in a manner that is respectful to all parties involved. The School and Day Nurseries are committed to handling complaints fairly, transparently and in accordance with the principles of natural justice.

This procedure is made available to parents of current and prospective pupils and complies with the Education (Independent School Standards) Regulations 2014 and the Early Years Foundation Stage Statutory Framework.

A written record is maintained of all formal complaints and the action taken by the School and Day Nurseries, regardless of whether a complaint is upheld.

What Constitutes a Complaint?

A complaint is an expression of dissatisfaction about an action taken, or not taken, by the School and Day Nurseries, or about the standard of a service provided.

Complaints may concern:

- Educational provision;
- Pastoral care;
- Communication;
- Administration;
- Operational matters;
- A member of staff; or
- A policy, procedure or decision of the School and Day Nurseries.

This procedure does not apply to:

- Child protection matters;
- Whistleblowing concerns;
- Staff grievances;
- Staff disciplinary matters;
- Subject Access Requests; or
- Statutory appeals where separate procedures exist.

Such matters will be addressed under the relevant policy or procedure. Parents raising a complaint in good faith will not suffer any adverse consequences and neither will their child.

Accessibility and Reasonable Adjustments

The School and Day Nurseries are committed to ensuring that all parents can access and participate fully in the complaints process.

Reasonable adjustments will be made where necessary to remove barriers to engagement.

Examples may include:

- Alternative document formats;
- Remote attendance arrangements;
- Additional time for submissions;
- Support for communication needs;
- Assistance relating to disability or health conditions;
- Language support where appropriate.

Requests for reasonable adjustments should be made as early as possible.

Timescales

Complaints will normally be acknowledged within five working days.

The School aims to complete:

- Stage 1 and Stage 2 within 28 working days; and
- Stage 3 within a further 28 working days.

More complex complaints may require additional time. Where delays occur, parents will be kept informed of revised timescales.

Scope and Time Limits for Complaints

Eligibility to Make a Complaint:

- This Complaints Procedure is available to parents of current pupils and prospective pupils.
- Where concerns have been raised with the School whilst a child was registered as a pupil, a parent may submit a formal complaint under this procedure after the child has left the School, provided that the complaint is submitted within the time limits set out below.
- Complaints from parents of former pupils which are raised for the first time after the pupil has left the School will not normally be considered unless the School determines that there are exceptional circumstances warranting investigation.
- Nothing in this procedure prevents the School from considering concerns relating to safeguarding, welfare, or other matters where the School considers it appropriate to do so.
- For the purposes of this procedure, a concern will be regarded as having been raised where a parent has communicated dissatisfaction regarding a matter affecting their child and sought a response or resolution from the School, whether verbally, in writing, or by electronic communication.

Time Limits for Complaints:

- Parents should raise concerns and complaints as soon as reasonably possible after the event giving rise to the complaint.
- Formal complaints should normally be submitted within three months of:
    a) the event giving rise to the complaint; or
    b) where there is a series of related events, the date of the last event.
- Where a pupil has left the School, and concerns were raised whilst the pupil remained registered at the School, any formal complaint should normally be submitted within three months of the pupil's departure.
- When determining whether a complaint has been submitted within the applicable timescales, the School may take into account any delay attributable to the complainant, including any failure to engage with the complaints process or to accept information reasonably provided by the School.
- The School reserves the right not to investigate complaints submitted outside these timescales where it considers that a fair and proportionate investigation can no longer be carried out, relevant evidence is no longer available, or it is otherwise unreasonable to investigate the matter.
- The School may, at its discretion, consider complaints outside these timescales where there are exceptional circumstances or where it considers it fair and reasonable to do so.
- The School may decline to investigate a complaint where the matter has already been considered and addressed through previous correspondence, meetings, or another School procedure, unless significant new information or evidence is provided.
- The School reserves the right to determine whether new information is sufficient to justify a further investigation.

The three-stage Complaints Procedure:

Stage 1: Informal Resolution

Stage 2: Formal Resolution

Stage 3: Complaints Panel Hearing

Stage 1 - Informal Resolution
Most concerns can be resolved satisfactorily through informal discussion.

Parents should normally raise concerns with:

- Their child's Key Worker;
- Class Teacher;
- Form Teacher; or
- Relevant member of staff.

The member of staff will seek to resolve the concern through discussion, clarification and, where appropriate, agreed action.

Where necessary, the matter may be referred to:

- Head of School;
- Director of Day Nurseries;
- Bursar; or
- Another member of the Senior Leadership Team.

Significant concerns raised at Stage 1 will be recorded and monitored appropriately.

If the matter is not resolved within five working days, or if the parent remains dissatisfied, the complaint may progress to Stage 2.

The School reserves the right to progress a matter directly to Stage 2 where the nature, complexity or seriousness of the concern makes informal resolution inappropriate.

If the complaint concerns the Executive Director, Head of School, Bursar or Director of Day Nurseries, it should be directed to the Chair of Governors via the Clerk to Governors.

Stage 2 - Formal Resolution

If the complaint cannot be resolved informally, parents should submit the complaint in writing to the:

- Head of School;
- Director of Day Nurseries; or
- Bursar,

depending on the nature of the complaint.

The written complaint should include:

- A summary of the complaint;
- Relevant dates and events;
- Any action already taken; and
- The outcome sought.

The School may request further information or clarification before commencing an investigation where the complaint is unclear, excessively broad, or insufficiently particularised.

The complaint will normally be acknowledged within five working days.

The person investigating the complaint may:

- Meet with the parent;
- Meet with relevant staff;
- Review documentation;
- Obtain written statements; and
- Conduct any other enquiries considered necessary.

Written records will be maintained throughout the investigation.

Once all relevant facts have been established, a written response will be issued setting out:

- Findings;
- Conclusions;
- Any actions to be taken; and
- Reasons for the decision.

Where appropriate, recommendations for improvement may also be identified.

If the complaint concerns the Head of School, Director of Day Nurseries, Executive Director or Bursar, Stage 2 will be considered by the Chair of Governors or a Governor appointed for that purpose.

Escalation to Stage 3
If parents remain dissatisfied with the Stage 2 outcome, they may request a Panel Hearing by writing to the Chair of Governors (via the Clerk to Governors) within seven calendar days of receiving the Stage 2 decision.

The request should specify:

- The aspects of the complaint that remain unresolved;
- The grounds on which the parent believes the Stage 2 decision was incorrect, unreasonable or incomplete; and
- Any supporting documentation they wish the Panel to consider.

Stage 3 - Complaints Panel Hearing
The Chair of Governors will appoint a Complaints Panel consisting of at least three individuals who have not been directly involved in the matters under consideration.

At least one member of the Panel will be independent of the management and running of the School and Day Nurseries.

The hearing will normally take place within ten working days of the request being received.

The Role of the Panel
The role of the Panel is to review the handling of the complaint and determine whether the conclusions reached at Stage 2 were reasonable in light of the evidence available.

The Panel may:

- Uphold a complaint;
- Dismiss a complaint;
- Partially uphold a complaint;
- Make recommendations; or
- Require further investigation where necessary.

The Panel will not normally rehear every aspect of the complaint from the beginning unless it considers it necessary to do so.

Hearing Arrangements
All documentation and supporting evidence should normally be submitted at least five working days before the hearing.

The Panel may decline to consider substantial evidence submitted after this deadline unless exceptional circumstances apply.

Parents may attend the hearing and may be accompanied by one person.

The accompanying person's role is to provide support and assistance. They are not normally expected to act as a legal representative or advocate unless agreed in advance by the Chair of the Panel.

Witnesses may be invited to attend where the Panel considers this appropriate. The attendance of witnesses is entirely at the discretion of the Panel.

The hearing may proceed in the absence of any party provided reasonable notice has been given.

Audio or video recording of hearings is not permitted unless required as a reasonable adjustment and agreed in advance by the Chair.

A written record of the hearing will be maintained. Hearing notes are not intended to be a verbatim transcript.

Panel Decision

The Panel will consider all relevant evidence before reaching its conclusions.

The Panel's findings and any recommendations will normally be provided in writing within five working days of the hearing.

The decision will be sent to:

- The parents;
- The Head of School;
- The Executive Director;
- The Bursar;
- The Director of Day Nurseries;
- The Chair of Governors; and
- Any person who is the subject of the complaint where appropriate.

The decision of the Panel is final.

Serial, Persistent and Unreasonable Complaints

The School and Day Nurseries recognise that the vast majority of complaints are raised reasonably and in good faith.

However, where a complaint has been fully considered through all stages of this procedure, the School reserves the right not to reopen the same matter unless significant new evidence becomes available that could not reasonably have been provided earlier.

The School may take proportionate steps to manage unreasonable conduct.

Examples may include:

- Abusive, offensive or threatening language;
- Excessive correspondence;
- Unreasonable demands on staff time;
- Refusal to engage with the complaints process;
- Repeated raising of substantially the same issues;
- Contacting multiple members of staff or Governors regarding the same concluded matter.

Where restrictions are considered necessary, the School will explain the reasons and the arrangements that will apply.

Complaints Relating to the EYFS

Parents of children in the Early Years Foundation Stage (EYFS) may contact Ofsted and/or the Independent Schools Inspectorate if their complaint remains unresolved after completion of the School's complaints process.

The School will investigate and respond to complaints relating to EYFS provision within the timescales set out in the EYFS Statutory Framework.

OFSTED Contact details:
8am to 8pm, Monday to Friday. Phone 0300 1234 234, or email enquiries@ofsted.gov.uk

Or you can fill in an online complaints form at http://live.ofsted.gov.uk/onlinecomplaints

Ofsted regulations require that complainants will be notified of the outcome of an investigation within 28 days of the school having received the complaint. We will try to resolve issues more quickly in accordance with the policy outlined above.

The School will provide Ofsted, on request, with a written record of all complaints made during any specified period and the action that was taken as a result of each complaint.

ISI: Independent Schools Inspectorate Contact Details:
CAP House, 9-12 Long Lane, London EC1A 9HA
Telephone 020 7600 0100
E-mail concerns@isi.net

Learning from Complaints
The School and Day Nurseries review themes and trends arising from complaints to identify opportunities for improvement in:

- Communication;
- Procedures;
- Systems;
- Training;
- Service delivery; and
- Operational practice.

The purpose of this review is to support continuous improvement across the School and Day Nurseries.

Confidentiality
All complaints will be handled confidentially.

Correspondence, statements and records relating to individual complaints will be kept confidential except where:

- Disclosure is required by law;
- Disclosure is required during inspection;
- Disclosure is required for safeguarding purposes; or
- Disclosure is otherwise permitted or required under the Data Protection Act 2018 and UK GDPR.

Where a complaint relates to safeguarding or child protection, the School will follow its Safeguarding Policy and Procedures and Keeping Children Safe in Education (KCSIE).

Record Keeping
The School will maintain a written record of:

- Formal complaints;
- Whether a complaint proceeded to a Panel Hearing;
- The outcome of complaints; and
- Any actions taken as a result.

Records will normally be retained for a minimum of seven years from conclusion of the complaint or longer where required by law or safeguarding considerations..

Legal and Regulatory Compliance

- Data Protection Act 2018 and UK GDPR
- DfE Early Years Foundation Stage Statutory Framework
- Education (Independent School Standards) Regulations 2014
- Equality Act 2010
- Keeping Children Safe in Education (KCSIE)

All staff must follow this procedure to ensure that complaints are handled fairly, transparently, proportionately and in accordance with statutory requirements and best practice.

During the 2025–2026 academic year, the number of complaints registered under the formal procedure, that proceeded to a panel hearing was 1.