



Haileybury Bhaluka

Complaints & Appeals Policy

Policy date:	09/2023
Date of next review:	08/2024
Owner:	COO
SLT committee responsible:	Education Sub Committee
Intended audience:	Staff, students, parents
Location:	Website

1. Introduction

- 1.1 This policy is made available to parents and pupils on the school website. A copy can also be obtained from the COO. "Parent(s)" in this policy means the holder(s) of parental responsibility for a pupil to whom the complaint relates.
- 1.2 Haileybury Bhaluka prides itself on the quality of the teaching and pastoral care provided to its pupils. The School is also committed to a continuous programme of rigorous self-evaluation in order to make the best possible provision for the pupils entrusted to our care. Parental feedback is therefore welcomed. Where a pupil or parent has any concern, or if a pupil or parent is unhappy about something and seeks action by the School, this will be treated seriously and with care, in accordance with these Procedures.
- 1.3 Many concerns are addressed informally and they are dealt with entirely satisfactorily on that basis. Nothing in this document is intended to inhibit the informal free flow of information and comment between pupils, parents and the various responsibility holders within the School. However, where matters cannot be resolved informally, these Procedures provide a process for matters to be dealt with on a formal basis where needed.

2. Complaints procedure for all current pupils

- 2.1 We always encourage pupils to let us know if they have any worries or concerns. If you feel concerned about something, or if you wish to complain about how you are, or have been treated, there are various options available:
 - you may just wish to talk to someone informally – you can do this at any time; or
 - you may wish to make an informal complaint; or
 - you may wish to make a formal complaint if the matter is serious.

This procedure sets out a process for you to follow so that we can try to resolve your concerns.

3. What constitutes a complaint?

- 3.1 A complaint is where you have a concern about any matter. It might be about the School as a whole, about a specific department or about an individual member of staff. A complaint is likely to arise if you believe that the School has done something wrong, or failed to do something that it should have done, or acted unfairly. All concerns and complaints will be treated seriously and confidentially. The School is here for you and you will not be penalised for a complaint that you raise in good faith.

4. You may wish just to talk to someone

- 4.1 Remember you have close friends who may be able to help to whom you may feel you can comfortably talk. Your HM is always ready to help, or your Tutor, or any member of staff you know. You can also visit the School's Wellbeing Centre.
- 4.2 There may be times when you feel you cannot talk with a member of staff - this is perfectly all right and natural. You can talk to, telephone or write to any of the following:

4.3 The School has a designated Deputy Head (Pastoral), Mr Chris Hill who is also the School's Designated Safeguarding Lead. He would be very happy to discuss any concerns with you. The School also has a Safeguarding and Child Protection Policy that you can read – it is available on the [Policies page](#) of the School's website.

5. What happens if I want to make an informal complaint about something?

- 5.1 Sometimes you may feel that you would like to make a complaint about something that is worrying you. This might be about how you are being treated. The first thing you should do is speak to any member of staff you can trust, such as your Tutor or your HM. You can take someone with you if you wish - another pupil, an older pupil or another member of staff.
- 5.2 It is important for you to remember that whenever you are discussing a concern in this way, you can have your Tutor or a friend with you when you are talking with your HM, the Deputy Head (Pastoral).
- 5.3 If the matter cannot easily be resolved in this way, then you can make a formal complaint.

6. Formal complaints procedure for current pupils

- 6.1 To raise a formal complaint, you will need to write to your HM, the Deputy Head or the Headmaster explaining that you wish to make a formal complaint. You will get a note in reply saying the complaint has been recorded and that it will be dealt with. Your complaint will normally be acknowledged and discussed within three teaching days of its receipt in term time (in holiday and half term periods, within two weeks). You will then be asked to talk the matter through with either the Deputy Head or the Headmaster; you can have a friend with you, your Tutor or your HM, or any member of staff.
- 6.2 You do not have to inform staff or anyone else that you are complaining about them. You will not be penalised in any way for making a complaint in good faith.

7. Complaints procedure for parents of current pupils

8. What constitutes a complaint?

- 8.1 A complaint is a concern about any matter, or any matter about which a parent is unhappy and seeks action by the School. It may be made about the School as a whole, about a specific department or about an individual member of staff, for example. A complaint is likely to arise if a parent believes that the School has done something wrong, or failed to do something that it should have done, or acted unfairly.
- 8.2 Parents can be assured that all concerns and complaints will be treated seriously and confidentially. The School is here for you and your child; neither you nor your child will be penalised for a complaint that you raise in good faith.

9. What constitutes a parent of a current pupil?

- 9.1 A parent of a current pupil is one whose child is a current registered pupil attending Haileybury. This procedure does not cover matters relating to admissions, and therefore pupils who have not yet joined the School. Once a child has left Haileybury, the child is no longer a current pupil, so again, this procedure would not apply. A parent whose child has left Haileybury may escalate a complaint that they have already registered informally, or at any formal stage, but cannot initiate a new complaint. This policy should not be used to appeal exclusions; there is an alternative process for this set out in the School's Serious Disciplinary Cases Procedure, which

can be found on the [Policies page](#) of the School's website. Haileybury Bhaluka operates a three-stage process for complaints:

Stage One (Informal Complaint)

- 9.2 It is hoped that most complaints or concerns can usually be resolved quickly and satisfactorily, through discussion with the appropriate member of staff. As Haileybury Bhaluka operates a House system, if parents have a complaint it is usually most appropriate for them to first contact their son's Housemaster (HM). In most cases the matter will be resolved quickly and easily. An informal complaint can be made to any member of staff.
- 9.3 An informal complaint can initially be made in writing, by telephone or in person. Depending on the nature of the complaint, the matter may be referred to another member of school staff (see the list below for examples of "Responsibility Holders"). If this is the case, the parent(s) should be informed which staff member will deal with the complaint. Whether the informal complaint is made in writing, in person or by telephone, the relevant staff member will acknowledge the complaint within three teaching days of its receipt in term time (in holiday and half term periods, within two weeks).
- 9.4 The Responsibility Holder will inform the Deputy Head who manages them (via email) on receipt of an informal complaint and where the complaint is made verbally, the relevant member of staff will also include a note of the contents of any discussions. The member of staff will seek to resolve an informal complaint within five working days and will notify the parent(s) what action has been taken in light of the concern. Where it is not possible to resolve an informal complaint within this time, the parent(s) will be advised of their ability to proceed with their complaint under Stage Two of this procedure.

Responsibility holders:

If your complaint is related to:	Please contact:
Your child's Housemaster, the School's disciplinary arrangements, the pastoral support of the School or any form of bullying or harassment (including complaints relating to the protected characteristics defined in the Equality Act 2010)	The Headmaster

- 9.5 If the informal complaint is about the COO or Deputy Head, it should be referred to the Headmaster. The Headmaster will decide whether he can deal with the complaint informally or whether the complaint should be dealt with formally under the procedure below. If the informal complaint is about the Headmaster, it should be referred to the COO who will discuss the matter with the Chair of Governors. The Chair of Governors will determine whether the complaint should be dealt with by him informally, or whether the formal procedure below should be followed.
- 9.6 If your complaint is related to a safeguarding matter please refer to the School's Safeguarding and Child Protection Policy for further guidance (available on the [Policies page](#) of the School's website).
- 9.7 If you remain dissatisfied with the response provided to the informal complaint the next step is to pursue a formal complaint under Stage Two (see below).

Stage Two (Formal Complaint)

- 9.8 If you remain dissatisfied following Stage One of the process, or if the complaint is so serious that an informal complaint is not appropriate, you should write to either the Headmaster or the

COO as appropriate and formalise the complaint. This should be done within one month of the concern arising, or of the outcome of the previous stage being communicated to you if relevant. The division of responsibility at Haileybury Bhaluka is as follows:

Headmaster	All matters to do with pupils' education including discipline, co-curricular and pastoral care.
COO	Financial matters, buildings, grounds and equipment, health and safety, and domestic issues.

- 9.9 The Headmaster and the COO consult regularly, particularly when their areas of responsibility overlap. To raise a formal complaint with the Headmaster or the COO you should briefly set out in writing your concern together with details as to why you believe that any investigation and/or action taken at the previous stage was unsatisfactory (if relevant). If you have a formal complaint about the COO, this should be referred to the Headmaster.
- 9.10 The Headmaster or the COO will respond within three teaching days to acknowledge receipt (in holiday and half term periods, within two weeks). They may, where appropriate, arrange a meeting or discussion with you to discuss your complaint, and in some cases the matter can be resolved in this way. Otherwise, the Headmaster or COO will investigate the matter further and independently of conclusions reached at any earlier stage. This may include discussing the matter with any individuals involved. Once either is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and the outcome will be communicated to you in writing, usually within one month of the date of the complaint in term time, and within one month of the start of the next academic half term if it is a holiday period. The Headmaster or COO will also communicate the rationale behind their decision and action. If for any reason it is not possible to respond within these timescales, the Headmaster or COO will inform the parent(s) and provide a new timescale.
- 9.11 If you are still not satisfied with the decision, you should proceed to Stage Three of this procedure.

Stage Three (Formal complaint to a panel appointed by the Council)

- 9.12 If parents remain dissatisfied following Stage Two of this complaints procedure, the next stage is to contact the Chair of Governors by writing to the COO. The COO will acknowledge receipt of the complaint within one week (in holiday and half term periods, within two weeks) and will inform the Chair of Governors that a complaint has been raised.
- 9.13 Complaints under this stage should be brought within one month of the concern arising or of the outcome of Stage Two being communicated if relevant. Any supporting evidence you wish to rely on should be provided with your grounds of complaint.
- 9.14 The Chair of Governors will appoint three members as a panel to review the complaint. Panel members will have had no previous direct involvement in the matters detailed in the complaint. The Chair of Governors will appoint one member of the panel to act as Chair. One of the three panel members shall be independent of the management and the running of the School; in accordance with UK DoE guidelines this person will be someone who has held a position of responsibility and is used to scrutinising evidence and putting forward balanced arguments.
- 9.15 If the panel deems it necessary, it may request further information about the complaint or any related matter to be supplied in advance of the hearing, or it may request that further investigation be carried out.
- 9.16 A hearing will be convened to discuss the complaint, as soon as reasonably practicable, taking account of term dates, staff availability, and the availability of panel members. The hearing

arrangements will be reasonable in order to facilitate parents attending, and the hearing may therefore take place via video conference or other remote method if appropriate. The parent(s) will be entitled to attend the panel hearing and may be accompanied by one other person who may be a relative, a teacher or a friend, however the hearing is not a legal hearing and parents will not be permitted to be accompanied by a legal representative.

- 9.17 The panel will decide whether or not it will be helpful for any witnesses to attend.
- 9.18 The format of the hearing will usually be as follows:
- The parent(s) and any companion will attend first and will make any representations and may be asked questions by the panel.
 - The parent(s) and any companion will be released and representatives of the School (usually the Headmaster or COO as relevant, but in their absence a member of senior management) will attend to make any submissions. They may also be asked questions by the panel.
 - The panel will then withdraw to deliberate and will reach a consensus.
- 9.19 The panel may depart from the above process if it is considered reasonable in order to ensure a fair hearing.
- 9.20 If possible, the panel will resolve the complaint without the need for further investigation. If further investigation is required, the panel will determine how this should be carried out.
- 9.21 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 Two 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.
- 9.22 The panel hearing should proceed even if the parent decides not to attend but has not withdrawn the complaint. In such cases the panel should consider the parent's complaint in their absence and issue findings based on the information available. The panel should seek to accommodate parental availability for dates and consider parental comments concerning panel composition, but the Chair of Governors has the final say on the composition of the panel.
- 9.23 The panel members may, where it is deemed appropriate, be provided with terms of reference by the COO, setting out their remit and the process to be followed. The remit of the panel shall be at the discretion of the Chair of Governors.
- 9.24 The COO will communicate the panel's final decision to the parent(s), the Chair of Governors and the Headmaster where possible within two weeks of the hearing (in term time, and within two weeks of the start of the next academic half term if it is a holiday period). Where the panel requires additional time to consider their decision, or to seek further information, the parent(s) will be updated and a new timescale communicated. The decision of the panel is final.
- 9.25 Where possible, within the bounds of confidentiality and privacy, a copy of the panel's decision will be provided to the person complained about. A copy of the findings will be placed on file and will be available for inspection on the School premises by Governors or Headmaster.

10. Complaints about the Headmaster

- 10.1 As above, if you have an informal complaint about the Master, it should be referred to the COO who will discuss the matter with the Chair of Governors. The Chair of Governors will determine whether the complaint should be dealt with by him informally, or whether the formal procedure above should be followed.
- 10.2 If you have a formal complaint about the Master, the complaint should be made to the Chair of Governors (via the COO). The Chair of Governors will determine whether the complaint should be dealt with by him, following the procedure of Stage Two above, or whether it should be referred directly to Stage Three to be heard by a panel.

11. Safeguarding & child protection

- 11.1 If your complaint relates to the way a safeguarding or child protection matter you raised was handled and you are concerned that it may constitute a potential failure of our Safeguarding and Child Protection Policy, this complaint should be referred to the Headmaster in the first instance.

12. Persistent complaints

- 12.1 Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, this can be regarded as vexatious and outside the scope of this policy.

13. Complaint record keeping

- 13.1 The School will keep a confidential, written register of all formal complaints, the stage at which they are resolved and any action taken as a result of the complaint, regardless of whether or not the complaint is upheld.
- 13.2 If a complaint is raised via telephone or in person regarding a school-related issue, the member of staff receiving the concern must follow the procedure set out under Stage One above. The Deputy Head maintains a record of these complaints and reviews them every half term to track trends and patterns. The Deputy Head reports on the number of informal complaints, trends and patterns to the Safeguarding and Wellbeing Committee each term, and annually to the Board of Governors.
- 13.3 The register of all formal complaints (i.e. Stages Two and Three) and the stage at which they are resolved is kept by the COO. All correspondence relating to formal complaints must be copied to the COO when received or sent, at the email address above. The COO keeps a file of the correspondence and documents relating to each formal complaint, which includes a covering sheet containing summary information. These records of formal complaints are available to the Headmaster to inspect at any time. On inspection, the Headmaster will sign and date the cover sheet to evidence their review of the file.
- 13.4 Records of complaints will be retained for the periods set out in the School's Data Retention Policy.
- 13.5 The School processes data in accordance with its Privacy Notice on the School's website. When dealing with complaints, the School (including any panel member appointed under the Stage Three process) may process a range of information, which will include the following:
- Date when the issue was raised;
 - Name of parent;
 - Name of pupil, year group and House;

- 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;
- The panel's written decision and recommendations and any action taken by the School regardless of whether the complaint is upheld.

13.6 The above may include 'special category personal data' (as further detailed in the School's Privacy Notice, 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 Privacy Notice.

13.7 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.

13.8 The number of formal stage two and three complaints for the preceding academic year will be recorded on this policy.

14. Monitoring of complaints

14.1 The Senior Leadership Team should be kept aware by the Deputy Head and/or Headmaster of trends in complaints at any stage.