

THE RICHARD PATE SCHOOL



Complaints Policy and Procedure

June 2026

1. Introduction

The Richard Pate School encourages open communication with parents and takes seriously complaints and concerns they may raise. This policy will explain how to follow our complaints system.

The School's Complaints Policy is available to all parents of pupils and prospective pupils on the School's website. A paper copy of the Policy is available in the School Office during the day. The School will ensure that parents of pupils and of prospective pupils who request it are made aware that this document is published or available and 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.

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

Complaints by parents of former pupils will be dealt with under this Complaints Procedure only if the complaint was initially raised when the pupil to which the complaint relates was still registered as a pupil at the School. The only exception to this is if the complaint is a review of a decision taken by the Head to exclude or require the removal of a pupil under clause 7 of the School's Terms and Conditions of Contract 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 pupil.

In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, **The Richard Pate School will make available to parents of pupils and of prospective pupils and provide, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate, details of the School's Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year (it can also be found at the end of this policy).**

Under the statutory framework for EYFS, The Richard Pate School will provide ISI/Ofsted 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 for at least 3 years.

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

Although the School endeavours to manage complaints in an open and transparent manner, parents should be aware that there may be circumstances which mean the School is unable to share complete details about how a complaint has been handled by the School, the evidence collated, steps taken in response or other related matters. This could be the case even when

a complaint is upheld. For example, this may be because such information constitutes sensitive third-party data (for example belonging to a staff member, pupil or other parent), legal or regulatory requirements prohibit disclosure, or withholding information is in accordance with specific instructions from a statutory agency. This list is not exhaustive.

“Parent(s)” means the holder(s) of parental responsibility for a pupil about whom the complaint relates.

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.

Correspondence, statements and records relating to individual complaints are to 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. There may also be other circumstances in which the School is required to share information relating to a concern or a complaint in order to comply with its legal or regulatory obligations.

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] raise[s] in good faith.

2. 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 the person most concerned with the issue, for example, their son/daughter's class teacher, or in the case of sports concerns the Head of Boy's or Girl's Games. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the person contacted cannot resolve the matter alone it may be necessary for him/her to consult the Nursery Manager, the Head of the Prep. Department, one of the two Deputy Heads, or the Head.

The parent may prefer to talk the matter through with a more senior member of staff, and should therefore contact the Nursery Manager, the Head of the Prep. Department, one of the two Deputy Heads, or the Head. However, ordinarily complaints made directly to the Nursery Manager, the Head of the Prep. Department, one of the two Deputy Heads, or the Head will be referred to the relevant person most concerned with the issue, for example, their son/daughter's class teacher, or in the case of sports concerns the Head of Boy's or Girl's Games unless the Nursery Manager, the Head of the Prep. Department, one of the two Deputy Heads, or the Head deems it appropriate for him/her to deal with the matter personally.

The member of staff contacted will make a written record of all concerns and complaints (on School Manager) and the date on which they were received. Should the matter not be resolved within 10 working days or in the event that a 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 Complaints Procedure.

If, the complaint is against the Head, parents should make their complaint directly to the Chair of The Richard Pate School Committee (see Complaint against the Head section in Stage 2 below) whose contact details are available from the School Office on request.

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 Head. The Head may require further information from the parents to help clarify the scope and nature of their concerns. The Head may in some circumstances deem it appropriate to nominate a staff member to hear the complaint and manage the Stage 2 complaint process. The Head (or their nominee) will decide, after considering the complaint, the appropriate course of action to take.

In most cases, the Head (or their nominee) will meet or speak to the parents concerned, normally within 10 working days of receiving the complaint, to discuss the matter. It may be necessary for further investigations to be carried out. The Head (or their nominee) will determine who should carry out any investigation and this may be someone external to the School.

Written records of all formal meetings and interviews will be held in relation to the complaint.

Once the Head (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 parents will be informed of this decision in writing. The Head (or their nominee) will also give reasons for his/her decision. In most cases the Head (or their nominee) will make their decision 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 Head, if so requested).

If the complaint is against the Head, the complaint should be made to the Chair of the Richard Pate School Committee. The Chair of the Richard Pate School Committee or their nominee will call for a full report from the Head and for all the relevant documents. The Stage 2 process described above will then be followed as if the references to the Head (or their nominee) I to the Chair of the Richard Pate School Committee (or their nominee) to determine the complaint against the Head.

If parents are still not satisfied with the decision, they should proceed to 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 do so in writing to the Clerk to the Trustees of Pate's Grammar School Foundation ("the Clerk") within 5 working days of receiving the decision at Stage 2, setting out their grounds of appeal. Any supporting evidence which the parents wish to rely on should also be provided with their grounds of appeal. 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 Clerk to the Trustees in advance of the original deadline, setting out the further time period requested and the reason for this. This will be considered. In the event the parents are unable to provide their complaint within the time period stipulated (including to the extent applicable any extensions if agreed) the School reserves the right to conclude the complaint process and not progress the matter to Stage 3.

The Clerk, who has been appointed by the Trustees to call hearings of the Complaints Panel, will then refer the appeal to the Complaints Panel for consideration. The Panel will consist of two trustees, not directly involved in the matters detailed in the complaint, and one person who shall be independent of the management and running of the school (selected with reference to guidance issued by the DfE from time to time – see Appendix). Each of the panel members shall be appointed by the Board of Trustees. The Complaints Panel will appoint one of the Panel members to act as the Chair of the Panel. The Clerk, on behalf of the panel will then acknowledge the complaint within 5 working days and schedule a hearing to take place as soon as practicable and normally within 20 working days.

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 a further investigation be carried out. Copies of such particulars shall be supplied to all parties normally 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. This may be a relative, teacher or friend. Legal representation will not normally be appropriate and the companion should not be a lawyer. The identity of the companions should be confirmed to the Clerk 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.

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. A copy of any comments on the notes will be appended to the notes.

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 all facts they consider relevant, **the Panel will make findings as to whether or not the Stage 2 decision was a reasonable one and accordingly decide whether to:**

- Dismiss the complaint(s) in whole or in part;
- Uphold the complaint(s) in whole or in part; and
- May make recommendations for the School to consider. Stage 3 Panels cannot require that any financial compensation is paid to parents or otherwise obligate the School to take particular steps.

The Panel will write to the parents informing them of its decision and the reasons for it, **within 5 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, the Head, all Trustees and, where relevant, against whom the complaint has been made. They will also be available for inspection on the School premises by the Chairman of the RPS Committee and the Head.

Any complaint of a decision taken by the Head to exclude or require the removal of the pupil under clause 7 of the School's Terms and Conditions (Parent Contract) 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 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 Head, that the Head's decision to exclude / require the removal of the pupil was not a reasonable decision for the Head to have taken. **Timeframe for Dealing with Complaints**

All complaints will be handled seriously and sensitively. and within clear and reasonable timescales.

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 20 working days**. Stage 3, the Appeal Panel Hearing, will be completed **within a further 20 working days**.

Please note that, for the purposes of this procedure, 'working days' refers to weekdays (Monday to Friday) during term time, excluding bank holidays. 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. 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 be permitted 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.

3. Persistent correspondence

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

4. EYFS

Parents of EYFS children should follow the three stages of this Complaints Procedure. If parents remain dissatisfied and their complaint is about the School's fulfilment of the EYFS requirements, then parents may take their complaint to the ISI or Ofsted. Parents will be notified by ISI or Ofsted of the outcome of the investigation into their complaint within 28 days of the complaint being received.

The Richard Pate School will provide ISI/Ofsted, 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.

Parents may complain directly to Ofsted or to ISI if they believe the provider is not meeting the EYFS requirements. Schools must make available details of how to contact Ofsted and/ or the ISI:

Ofsted can be contacted on 0300 123 1231 or by email: enquiries@ofsted.gov.uk
Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD
ISI can be contacted on 020 7600 0100 or by email: info@isi.net
ISI, CAP House, 9-12 Long Lane, London EC1A 9HA

5. Recording Complaints

Following resolution of a complaint, the school will keep a written record of all formal complaints, whether they are resolved at the informal stage, the formal stage or proceed to a panel hearing and any action taken by the school as a result of the complaint (regardless of whether the complaint is upheld).

The School processes data in accordance with its 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 (if appropriate)
- Witness statements (if appropriate)
- Name 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 of the hearing
- The Panel's written decision

This may include "special category personal data" (as further details in the School's Privacy Notice, but potentially including sensitive data such as information relating to physical or mental health) where this is necessary owing to the nature of the complaint.

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 but in most cases for a period of at least six years after the pupil leaves the School.

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.

6. Data Protection Complaints

We take concerns about how personal data is handled seriously.

If you believe that your personal data has been processed inappropriately, you have a statutory right to raise a complaint under Section 164A of the Data Protection Act 2018.

Complaints relating to personal data handling will be managed in accordance with our Data Protection Policy and the Data Protection Complaints process set out below.

Raising a concern

In the first instance, please contact us directly using the details below so that we can investigate your concern: **The School's Data Protection Officer who can be contacted via DPO@schoolpro.uk and the School on dataprotection@richardpate.co.uk.**

Please provide as much detail as possible about your concern to help us respond effectively.

How we will handle your complaint

- We will acknowledge receipt of your complaint within 30 days
- We will investigate your concerns fairly and impartially
- We will respond to you without undue delay, setting out our findings and any actions taken

Where appropriate, we may contact you to request further information or clarification.

We will keep a record of data protection complaints for audit and monitoring purposes. We will also use them to inform improvements to our data protection practices and procedures.

Escalation

If you are not satisfied with our response, you have the right to escalate your complaint to the Information Commissioner's Office (ICO) at <https://ico.org.uk> or by calling 0303 123 1113.

Total number of complaints registered under the formal procedure for academic year

2024/2025: 2

Appendix

Complaints Procedure - Independent Member of the Panel

The following guidance comes from the DfE:

Our general view is that people who have held a position of responsibility and are used to analysing evidence and putting forward balanced arguments would be suitable. Examples of persons likely to be suitable are serving or retired business people, civil servants, heads or senior members of staff at other schools, people with a legal background and retired members of the Police Force might be considered.”

The Guidance states that the requirement for a Panel member who is independent of the management and running of the School means that the independent member should not only be *outside* the School's workforce, and *not* a member of the governing/proprietary body, but also should *not be otherwise involved with the management of the School* - for example, this might well be the case with a solicitor who regularly acts for a School.

Former governors or staff of the School could be appointed as the independent panel member provided they are "*independent of the management and running of the School*". However, Schools should bear in mind that they may be subject to criticism that such people are too close to the School and may not be truly independent.