Complaints Procedure

This whole school policy also applies to the Prep School and EYFS

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1. Introduction

1.1 Tormead School has long prided itself on the quality of the teaching and pastoral care provided to its pupils. The School welcomes suggestions and comments from parents and takes seriously complaints which may arise. 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. This Complaints Procedure is available to all parents of current pupils on the School's' website, and in hard copy from the School Office on request.

1.2 In accordance with paragraph 32(1)(b) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, and the ISI Handbook for the Inspection of Schools - Commentary on the Regulatory Requirements (March 2023), Tormead School will make available to parents of pupils and provide, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate, details of the Complaints Procedure including the number of complaints registered under the formal procedure during the preceding school year (see paragraph 9.2 below).

1.3 Complaints by parents of former pupils will be dealt with under this procedure only if the complaint was initially raised when the pupil to which the complaint relates was still registered 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 under Section 7 of the School's Terms and Conditions of Contract in which case such a review must be requested by no later than five (5) working days from the date the decision to exclude or require the removal of a pupil took effect.

1.4 Anonymous complaints will not be investigated under this procedure. A complaint must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

1.5 Please note that, for the purposes of this procedure:
'working days' refers to weekdays (Monday to Friday) during term time, excluding bank holidays and half term; and
'parent(s)' means the holder(s) of parental responsibility for a current pupil about whom the complaint relates.

1.6 If a parent/carer believes that Tormead is not meeting the requirements of the Early Years Foundation Stage, they can contact Ofsted via enquiries@ofted.gov.uk or by calling 0300 123 4666. Alternatively, ISI can be contacted via concerns@isi.net or by calling 0207 600 0100.Tormead will investigate written complaints relating to our fulfilment of the EYFS requirements and notify complainants of the outcome of the investigation within 28 days of having received the complaint. The record of complaints is available to ISI and Ofsted.

2. What Constitutes a Complaint?

2.1 A complaint is an expression of concern or 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.

2.2 Parents can be assured that all complaints will be treated seriously, confidentially and with impartiality at all times. The School is here for your child and you can be assured that your child will not be penalised for a complaint that you raise in good faith.

3. Stage 1 - Informal Resolution

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

3.2 If parents have a complaint, they should normally contact their child's Tutor or Head of Year in the Senior School, or Tutor/Class Teacher in the Prep School. In many cases, the matter will be resolved straightaway by this means, to the parents' satisfaction. If the Tutor/Head of Year cannot resolve the matter alone it may be necessary for them to consult a Head of Department, member of the Senior School Senior Management Team, or Deputy Head of the Prep School.

3.3 Complaints made directly to a Head of Department, member of the Senior Management Team or the Head/Head of Prep will usually be referred to the relevant Tutor or Head of Year, unless the individual receiving the complaint deems it appropriate for them to deal with the matter personally.

3.4 The Tutor/Prep Class Teacher or Head of Year, will make a written record of all complaints and the date on which they were received (via CPOMS) and respond to the complainant within five (5) working days. Should the matter not be resolved, and the Tutor/Prep Class Teacher or Head of Prep 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.

3.5 If, however, the complaint is against the Head, parents should make their complaint directly to the Chair of Governors whose contact details are available from the School Office on request (see clause 4.7 below). If the complaint is against the Head of the Prep School, parents should make their complaint directly to the Head of Tormead School.

4. Stage 2 - Formal Resolution

4.1 If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Head. Parents should outline the issues and include all relevant

information, stating that they wish to make a formal complaint, which members of staff the parents have spoken to already, the nature of the complaint and the remedy sought. The Head will decide, after considering the complaint, the appropriate course of action to take.

4.2 Parents should note that the complaint at this stage should not change in scope from that presented at Stage 1. Should any new matters be presented, parents will be advised that they will be dealt with under Stage 1.

4.3 In most cases, The Head will meet/speak to/respond to the parents concerned, within five (5) working days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.

4.4 It may be necessary for the Head, or their nominee, to carry out further investigations.

4.5 The Head, or their nominee, will keep written records of all meetings and interviews held in relation to the complaint.

4.6 Once the Head 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 within a further fifteen (15) working days or as soon as possible thereafter. The Head will also give reasons for their decision.

4.7 If the complaint is against the Head, the complaint should be made to the Chair of Governors who will either investigate and decide upon the concerns raised or nominate someone on their behalf to do so. Once the Chair of Governors or their nominee is satisfied that, so far as is practicable, all the relevant facts have been established, the parents will be informed of the decision in writing. The Chair of Governors or their nominee will give reasons for their decision.

4.8 If the complaint is in relation to Data Protection, the complaint should be made to the Compliance Officer via GDPR@tormeadschool.org.uk who will investigate. Parents may also contact the School's Data Protection Officer, Judicium Consulting Limited, directly via the following:

Address: 5th Floor, 98 Theobalds Road, London, WC1X 8WB
Email: dataservices@judicium.com
Web: www.judiciumeducation.co.uk
Telephone: 0345 548 7000 (option 1, then option 1 again)

4.9 If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

5. Stage 3 – Complaints Panel Hearing

5.1 If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they should make their request in writing to the Chair of Governors via the Clerk to the Governors (at the school address and by email to clerk@tormeadschool.org.uk requesting a Complaints Panel Hearing, providing their reasons and including all and any relevant supporting documentation they wish to go before the Complaints Panel and full contact details. The request must be made within fifteen (15) working days of the receipt of the stage 2 outcome letter.

5.2 Upon receipt of the complaint, the Chair of the Governors shall:

i. Arrange for the complaint to be heard before a specially convened Complaints Panel;

ii. Promptly appoint a Chair of the Panel who will deal with pre-hearing issues (in consultation with other members of the Panel);

iii. Instruct the Clerk to the Governors to schedule a date for the hearing and to send copies together with all relevant supporting documentation as provided at 5.1 above to the Head, the Chair of the Panel and arrange any other circulation deemed necessary, including but not limited to the Complaints Panel bundle (see 5.7 below).

5.3 The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of at least three individuals not directly involved in the matters detailed in the complaint and not involved at Stage 2. At least one panel member will be independent of the management and running of the School. These are likely to be two Governors and one individual who shall be independent of the management and running of the School.

5.4 The Clerk to Governors will then acknowledge the complaint on behalf of the Complaints Panel within five (5) working days and schedule a hearing to take place within a further twenty (20) working days or as soon as reasonably practicable thereafter including allowing time for the provision of any further particulars as requested in accordance with 5.6 below. Complaints Panels will not usually sit during school holidays.

5.5 The Head may supply to the Clerk to the Governors a statement in response to the Stage 3 complaint and any documentation which the Head wishes to go before the Complaints Panel. The Head should do so within seven (7) working days from the date the Head receives from the Clerk to the Governors a copy of the information provided by the parents at clause 5.1 above. The Clerk to the Governors will provide this to the Panel and to the parents.

5.6 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 ten (10) working days prior to the hearing.

5.7 The Clerk to the Governors shall be responsible for collating the documentation provided via 5.1, 5.5, 5.6 and relevant correspondence between the Clerk to the Governors and the parents, the Clerk to the Governors and the Head, and the Clerk to the Governors and the Panel for the purposes of producing a Complaints Panel Bundle. A copy of the bundle shall be provided to the Panel members, the Head and the parents.

5.8 The parents may attend the hearing and 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. Parents are required to confirm the name and profession of the person they wish to be accompanied by, by no later than five (5) working days after the Panel hearing date is confirmed. The Panel has discretion as to who attends the hearing.

5.9 The Head may attend the hearing and 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. The Head will be required to confirm the name and profession of the person they wish to be accompanied by, by no later than five (5) working days after the Panel hearing date is confirmed. The Panel has discretion as to who attends the hearing.

5.10 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.

5.11 The manner in which the hearing is conducted shall be at the discretion of the Panel. 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 decision and may make recommendations. The Panel may make its decision by a majority.

5.12 The Clerk to the Governors will inform the parents in writing of the Panel's decision and the reasons for it, within ten (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 Complaints 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 to the Chair of Governors and the Head. A copy of the Complaints Panel's findings and recommendations (if any) will also be available for inspection on the school premises by the Chair of Governors and the Head.

5.13 Parents should be aware that it is not within the remit of the Complaints Panel to make any financial award, nor to impose sanctions on staff, pupils or parents. It has no power to instruct the Head or members of staff to implement any recommendation(s) made. Where this is deemed necessary, the matter will be referred to the Chair of the Governors for action under delegated powers or presented to the Governing Body.

5.14 A hearing under this procedure is not a legal hearing, but a private and confidential matter. The Clerk will make a minute of the hearing, but no tape, video or digital recording may be made by any party. The minute will not be a verbatim account but is intended to be an accurate reflection of what was discussed. The minutes will be shared with all parties in attendance. No notes, other records or oral statements about any matter discussed or arising from the proceedings shall be made available directly or indirectly to third parties, including the press or other media.

5.15 Any complaint of a decision taken by the School and/or the Head under clause 8 of the School's Terms and Conditions of Contract will be governed by this Stage 3 of the Complaints Procedure. In such circumstances, the Panel may only uphold the complaint 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.

6. Closure of Complaints

6.1 If a parent is still dissatisfied despite the School's attempts to resolve a complaint, it is sometimes not possible to meet all of the parent's wishes and there must be an agreement to disagree.

6.2 In relation to complaints regarding Data Protection, if a parent is dissatisfied with the handling of their request, they have the right to contact the ICO at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

6.3 If a parent persists in making representations to the School, then it can be extremely time-consuming and detract from our responsibility to look after all the children in our care. For this reason, the School is entitled to close correspondence (including personal approaches, telephone calls, letters or emails) on a complaint where the School feels it has taken all reasonable action to resolve the complaint and the complaint has exhausted our official process.

6.4 Where a parent has been through the School's internal complaints procedures and is still unhappy with the outcome or decision from the Governing Body, then the Department for Education (**DFE**) School Complaints Unit can be contacted via the DFE website. The DFE advise that unless the school is shown to have behaved unreasonably or not to have followed their own procedures, there is likely to be little further action that can be taken, as Governing Bodies are empowered to deal with many issues without reference to either the local authority or the secretary of state.

7. Unreasonable Complaints, and Serial and Persistent Complainants

7.1 The School is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact parents have with the School. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

7.2 The School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school.

7.3 A complaint may be regarded as unreasonable when the person making the complaint:

i. Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;

ii. Refuses to cooperate with the complaints investigation process while still wishing their complaint to be resolved;

7.4 Very occasionally, the School will feel that it needs to close a complaint where the parent:

i. Refuses to accept that certain issues are not within the scope of a complaints procedure;

ii. Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;

iii. Introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on

iv. Raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;

v. Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;

vi. Changes the basis of the complaint as the investigation proceeds;

vii. Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);

viii. Refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the DFE;

ix. Seeks an unrealistic outcome;

x. Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

7.5 A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

i. Maliciously;
ii. Aggressively;
iii. Using threats, intimidation or violence;
iv. Using abusive, offensive or discriminatory language;
v. Knowingly providing falsified information;
vi. Publishing unacceptable information in a variety of media such as in social media websites and newspapers.

7.6 Complainants should limit the numbers of communications with the school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, telephone, email or text) as it could delay the outcome being reached.

7.7 Whenever possible, the Head or Chair of Governors will discuss any concerns with the parent informally before applying an 'unreasonable' judgement. If the behaviour continues the Head will write to the parent explaining that his/her behaviour is unreasonable and asking him/her to change it. For parents who excessively contact the School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.

7.8 In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include banning an individual from the School.

8. Recording Complaints and Confidentiality

8.1 Following resolution of a complaint, the School will keep a written record of all formal complaints, whether they are resolved at the formal stage (Stage 2) or proceed to a panel hearing (Stage 3) and any action taken by the School as a result of the complaint (regardless of whether the complaint is upheld). Such records enable the School to look beyond the immediate complaint to ensure that it does not represent a deeper problem that needs to be remediated.

8.2 The School processes personal data in accordance with its Privacy Notice. When dealing with complaints the School may process a range of information, which is likely to include the following:

i. Date when the issue was raised;
ii. Name of parent;
iii. Name of pupil;
iv. Description of the issue;
v. Records of all the investigations (if appropriate);
vi. Witness statements (if appropriate);
vii. Name of member(s) of staff handling the issue at each stage;
viii. Copies of all correspondence on the issue (including emails and records of phone conversations);
ix. Notes of the decision meeting / hearing;
x. The written decision. This may include 'special category personal data' (as further detailed in the Privacy Notice and the School's 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 information will be processed in accordance with the School's Data Protection Policy.

8.3 The School will keep records of formal complaints and Complaints Panel hearings, as required by regulation, for a minimum of seven years. Where, however, there are safeguarding implications, the records must be preserved for the term of the Independent Inquiry into Child Sexual abuse and at least until the accused has reached normal pension age or for ten years from the date of the allegation, if longer.

8.4 Informal complaints are logged, and more serious or persistent issues raised are enumerated and analysed each term for any trends which need addressing by the Senior Management Team and Governors. This information is not published to parents.

8.5 Correspondence, statements and records relating to individual complaints will be kept confidential except as required under paragraph 33(k) of Schedule 1 to the Education (Independent Schools Standards) (England) Regulations 2014, 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.

8.6 Early Years Foundation Stage. With regards to complaints that relate to girls in the Early Years Foundation Stage (Reception) the following apply: The record of EYFS complaints is made available to Ofsted and ISI on request.

9. Record of Formal Complaints during the academic year 2025-2026

9.1 The Independent Schools' Inspectorate requires the School to publish the number of formal complaints registered under the School's Complaints Procedure at Stage 2 or 3 in the preceding school year.

9.2 For the academic year 2024-2025 the School received 1 (one) complaint at Stage 2 and 0 (zero) complaints at Stage 3.