

33a COMPLAINTS POLICY AND PROCEDURE

*A copy of this policy is published in the following areas:
The school's website*

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A. Complaints Overview

A1. Definition

A complaint is a formal expression of dissatisfaction with a real or perceived problem or a matter about which a parent of a pupil is unhappy and seeks responsive action. It may be made about the school as a whole, about a specific department, process, or about an individual member of staff. 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. Should we suspect that a complaint raises an issue where a member of staff has caused actual or potential harm to pupils then this will be treated as an allegation against the member of staff under the Disciplinary Policy and will be looked at under our Child Protection and Safeguarding Policy. 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 pupil.

“School day” refers to day when the School is in session (Monday to Friday, term time, excluding Bank Holidays and Half Terms).

A2. General approach

Truro School has long prided itself on the quality of the education provided to its pupils. However, if parents do wish to raise a concern or a complaint, they can expect it to be treated by the school with care and in accordance with this policy. All parents should feel able to raise a complaint in line with this policy without fear of being seen as a troublemaker. Truro School makes its complaints policy and procedure available to all parents of pupils and of prospective pupils on the school's website and from the school office during the school day. Truro School will ensure that parents of pupils and prospective pupils who request it are made aware that this document is published or available and the form in which it is published or available.

Action which needs to be taken under staff disciplinary procedures as a result of complaints will be handled confidentially within the School.

All sections of this policy apply to the parents of all current pupils at the School. If a parent has a complaint about boarding they should follow this procedure but clearly state that the complaint is about boarding.

Although this policy and 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 from parents of former pupils or in regard to pupils who have left the School will be dealt with under this complaints procedure only where the complaint was initially raised when the pupil was still registered with and being educated at the school. The exception to this is if the complaint is a review of a decision taken by the Head to permanently exclude or require the removal of a pupil under Clause 7(a) of the School's Terms and Conditions in which case such a review must be requested by not later than five

School days from the date of the decision to permanently exclude or require the removal of a pupil.

Anonymous complaints may not be pursued.

A3. Pupil Concerns

Pupil concerns are listened to and taken seriously, but are not managed under the terms of this complaints policy. Truro School is committed to involving pupils in decision-making and finding out their views on all aspects of school life, including boarding.

Pupils can raise concerns and issues with their school tutors, with Heads of Year, nurses, the Chaplain, school prefects, Student Council, Deputy Head (Pastoral), the Head or any other member of staff.

In addition to the above, Boarders can give feedback to any member of staff, at a House Council, at a House Meeting in the suggestions book, and the annual boarders' questionnaire. They are encouraged to raise concerns and issues with boarding staff, boarding prefects and the independent listener, and may follow our Complaints from Boarders Policy to lodge a formal complaint.

All pupils' views will also be sought from time to time in other surveys as commissioned by the School.

B. Complaints Procedures

If a parent has a concern they should normally contact their child's teacher, tutor, houseparent, or the most relevant academic or pastoral leader. In most cases, the matter will be resolved in this way to the satisfaction of parents. Where necessary members of the Leadership or Operational staff teams will be consulted by the staff member to support this process. If a concern is brought forward during the school holidays, it will be recorded and forwarded to a senior member of staff.

Concerns raised directly to a member of the leadership team will usually be referred to the relevant staff member to deal with unless the member of the leadership team deems it appropriate to deal with the matter themselves.

In the event that a concern has not been resolved in this way, it should be raised to a Stage 1 Complaint under the terms of this Policy.

Stage 1 – Informal Resolution

In the Senior School:

Parents seeking resolution to a Stage 1 complaint should contact their child's Head of Year, Head of Section, Housemaster/Housemistress, or contact a member of the Senior Leadership Team. Staff will seek dialogue with the parent to understand the nature of the complaint, will make a written record of the complaint, including the date on which it is received, and will communicate this to the parent. It will be communicated clearly to the parent which member of staff will investigate the complaint and provide information, including a written response, about its outcomes and conclusions. Where relevant, members of the Leadership or Operational Staff teams will be consulted to support this process.

Should the matter not be resolved within ten School days or in the event that the staff member and the parent fail to reach a satisfactory resolution at Stage 1, then parents will be advised to proceed

with their complaint in accordance with Stage 2 of this policy.

In the Prep School:

Parents seeking resolution to a Stage 1 Complaint should contact their child's Class Teacher, or a member of the Leadership Team directly such as the EYFS Coordinator (for pupils in Nursery and Reception), the Key Stage 1 Coordinator (for pupils in Years 1 and 2), the Assistant Head (Pastoral) (for pupils in Years 3-6 concerning a pastoral matter) and the Assistant Head (Academic) (for pupils in Years 3-6 concerning an academic matter). Staff will seek dialogue with the parent to understand the nature of the complaint, will make a written record of the complaint, including the date on which it is received and will communicate this to the parent. It will be communicated clearly to the parent which member of staff will investigate the complaint and provide information, including a written response, about its outcomes and conclusions. Where relevant, members of the Leadership or Operational Staff teams will be consulted to support this process. Should the matter not be resolved within ten School days or in the event that the staff member and parent fail to reach a satisfactory resolution at Stage 1, then parents will be advised to proceed with their complaint in accordance with Stage 2 of this policy.

Stage 2 – Formal Resolution

If the complaint cannot be resolved under Stage 1 and a Parent wishes to escalate it to Stage 2, then the Parent is expected to put their complaint in writing to the Head/Head of Prep. This must be done within five School days of receipt of the outcome of the Stage 1 complaint. Parents may wish to use the Model Complaint Form in the appendix to the policy for this purpose, where it helps ensure clarity and full understanding of the complaint but are not obliged to do so. The Head/Head of Prep will decide, after considering the complaint, the appropriate course of action to take.

In most cases the Head/Head of Prep will offer to meet the Parent(s) concerned, normally within five School days of receiving the escalation of the complaint, to discuss the matter. If possible, a resolution will be reached at this stage, with the Head/Head of Prep setting out in writing the nature of the resolution agreed.

It may be necessary for the Head/Head of Prep to carry out further investigations. They may ask a senior member of staff to act as investigator and parents may therefore be asked to meet for a further discussion. Parents may take a friend or relative to this meeting. The investigating member of staff may also carry out a full investigation of the complaint and may interview staff and other pupils involved. A written record of all meetings and interviews held in relation to the complaint will be kept.

Once the Head/Head of Prep 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 by the Head/Head of Prep of this decision in writing, normally within ten School days of the Stage 2 Complaint being submitted in writing. The Head/Head of Prep will also give reasons for their decision.

If the Parent is still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

Stage 3 – Panel Hearing – for both schools

If the complaint cannot be satisfactorily resolved as described in Stage 2 above, then the Parent should set out the grounds of appeal in writing to the Clerk to the Governors, for the attention of the Chair of Governors. (Chair of Governors, c/o Clerk to the Governors, Truro School, Trennick Lane, Truro, TR1 1TH or rb@truroschoo.com) requesting a Panel Hearing. Any supporting evidence which the Parent wishes to rely on should also be provided with their grounds of appeal. This appeal must be lodged within ten School days of the date of the School's decision made under Stage 2 being communicated to the Parent. Should a Parent be unable to provide their complaint within the

time period stipulated due to extenuating circumstances which have impeded them from taking action, the Parent should request an extension in writing. Such a request should be made to the Clerk to the Governors in advance of the original deadline, setting out the further time period requested and the reason for this. This request will be considered by the Chair of Governors.

The Clerk to the Governors, who has been appointed by the Governors to call hearings of the Complaints Panel, will then refer the appeal to the Complaints Panel for consideration. A hearing (Panel Hearing) will go ahead unless the Parent later indicates they are now satisfied and do not wish to proceed further. A Panel Hearing will, therefore, proceed notwithstanding that the Parent may subsequently decide not to attend. If necessary, the panel will consider the complaint in the absence of the Parent and issue written findings on the substance of the complaint, thereby bringing the matter to a conclusion.

Stage 3 of the Complaints Procedure will also be used for any appeals against permanent exclusions imposed by the Head/Head of Prep under the Positive Behaviour and Values Policy. In such circumstances, the Panel may only uphold the complaint and ask the Head/Head of Prep to reconsider their decision if they consider, having regard to the process followed by the Head/Head of Prep that their decision to exclude/require the removal of the pupil was not a reasonable decision for the Head/Head of Prep to have taken.

The Panel will consist of three persons not directly involved in the matters detailed in the complaint. At least one person will be independent of the management and running of the School and the remainder will normally be School Governors. Each of the Panel members shall be appointed by the Chair, who, on behalf of the Panel, will then acknowledge the complaint via the Clerk to the Governors within five School days and schedule a Panel Hearing to take place as soon as practicable and normally within 20 School days of receipt of the Stage 3 complaint.

Prior to the start of the Panel Hearing, the Panel will appoint a Chair to preside at the hearing. 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 five School days prior to the Panel Hearing. Where further investigation is required, the Panel will decide how it should be carried out and the manner in which it shall be presented.

The Parent(s) may attend the Panel Hearing and be accompanied to that hearing by one other person. This may be a relative, teacher or friend. The Parent does not have a right to have a legal representative to make representations on their behalf at the Panel Hearing. The Head/Head of Prep shall also be entitled to be accompanied to the Panel Hearing by one other person if they wish. The Panel will decide whether it would be helpful for witnesses to attend.

The remit of the Panel shall be at the discretion of the Chair of Governors and the manner in which the Panel Hearing is conducted shall be at the discretion of the Panel.

If possible, the Panel will resolve the parent's complaint at the Panel Hearing 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;
- make recommendations.

The Chair of the Panel will write to the Parent within ten School days of the Panel 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 Parent and, where relevant, the person complained about as well as the Chair of Governors and the Head/Head of Prep. 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 Head/Head of Prep.

Timeframe for Dealing with Complaints:

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 School days. Stage 3, the Panel Hearing, will be completed within a further 30 School days. 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 occur on an exceptional basis, and the School will take all reasonable steps to limit any such delay.

Early Years Foundation Stage parents: Written complaints about the fulfilment of the EYFS requirements must be investigated and the complainant notified of the outcome of the investigation within 28 days. 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, they may take their complaint direct to Ofsted or ISI. Parents will be notified by ISI or Ofsted of the outcome of the investigation into their complaint.

Truro School Prep 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 EYFS complaints will be kept in accordance with Truro School's Privacy Notice and Data Retention Policy.

Ofsted can be contacted at: Enquiries Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD, online at <http://live.Ofsted.gov.uk/onlinecomplaints> or telephone 0300 123 1231. ISI can be contacted at: First Floor, Cap House, 9-12 Long Lane, London, EC1A 9HA, online at concerns@isi.net or telephone 0207 600 0100

Record of Complaints

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records relating to individual complaints are stored confidentially. Such records will be made available to the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 if a request is made to access them. The School is here for your child and you can be assured that your child will not be adversely affected by a complaint that you raise.

Written records of complaints made are retained for 7 years after the date of pupil leaving the School unless there is a lawful basis for continued retention – see privacy notice. These records will include the actions taken by the School as a result of the complaint.

In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, Truro School will also make available, on request, to Ofsted, the Department for Education (DfE) of 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.

All correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required by para 32(3)(f) of Schedule 1 to the Education (Independent School Standards) (England) Regulations 2014 (the Standard), by the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Education Act requests access to them. On request Truro School will provide such a body with

- i. a written record of all complaints made under Stage 2 of the procedure during any specified period,
- ii. whether they are resolved following Stage 2 procedure or proceed to a Stage 3 panel hearing; and
- iii. action taken by the school as a result of these complaints (regardless of whether they are upheld).

It should be noted that if it was found that the Standard had not been met because of the way a particular complaint has been handled, the Secretary of State has no power to compel the school to alter its decision on a complaint, only to take regulatory action designed to address the failure to meet the complaints standard so that future complaints are dealt with in accordance with the Standard.

The written record of complaints is limited to all those made under the formal parts of the procedure, and is reviewed annually by the School leadership team to inform school development.

The number of complaints registered under Stages 2 and 3 of this policy in the previous academic year are two Stage 2 and three Stage 3 complaints.

Complaints about the Head – both Schools

In the event that the complaint is against the Head of the Prep School, the matter will be dealt with from Stage 2 of the process by writing directly to the Head of Truro School.

In the event that the complaint is against the Head of Truro School, the matter will be dealt with from Stage 2 of the process by writing directly to the Chair of Governors (address as above).

Thereafter, the same process, outlined above, will be followed with the Chair of Governors taking the place of the Head.

Persistent Correspondence

Where repeated attempts are made to pursue the same complaint after it has been considered at all three stages of this policy, this may be regarded by the School as vexatious and outside the scope of this procedure. The School may also consider the situation to be potentially a breach of the Parental Contract.

TRURO SCHOOL & TRURO SCHOOL PREP Complaint Form

Please read the School's **Complaints Policy & Procedure** before completing this form. It provides information on when and how this form should be completed.

To be completed by those with **parental responsibility**¹ for a current pupil and returned to the Head (head@truroschoo.com) or Head of Prep (rmo@truroschoo.com) or, if the complaint is against the Head of Prep to the Head (head@truroschoo.com) or, if the complaint is against the Head, to the Chair of Governors via rb@truroschoo.com.

PLEASE USE **BLOCK CAPITALS**

Your name(s)	
Name of pupil(s), year(s) and your relationship to them	
Contact address	
Contact telephone day	
Contact telephone mobile	
Contact email address	
Details of the complaint²	
Action taken to date (including name(s) of staff member(s) who has/have dealt with your complaint so far) and solutions offered	

¹ Parental responsibility is defined in the Children Act 1989 as "*all rights, duties, powers and responsibilities and authority which by law a parent of a child has in relation to the child and his or her property*". It equates to legal responsibility for the child. If you have any doubts about whether you do or do not have parental responsibility for the child you may wish to seek legal advice.

² Please provide details of the nature of your complaint. If you have more than one ground of complaint we suggest numbering them so that each is considered in turn. If you require more space you may wish to attach an additional page setting out your complaint.

The reason(s) that this was not a satisfactory resolution for you:
What action(s) would you like to be taken to resolve your complaint?
Signature(s):
Date:
School use
Stage in the complaints procedure (circle as appropriate): 1 2 3
Date acknowledgement sent:
By whom:
Complaint referred to:
Action taken:
Date: