
 <b>HOLYPORT COLLEGE</b>	<b>Complaints Policy</b>	
	Effective Date: 30 Nov 2023	Version No: v1.5

<b>Title</b>	<b>Complaints Policy</b>
<b>Person responsible for policy formulation, implementation, maintenance and evaluation</b>	Head
<b>Persons consulted</b>	SLT
<b>Created on</b>	02 July 2014
<b>Current Review</b>	Nov 23
<b>Date of future review</b>	Nov 25


**REVISION STATUS TABLE**

Revision No	Effective Date	Summary of Revision	Reviewed		Approved/Noted	
			By	Date	By	Date
V1.0	02 July 2014	New Policy	SLT	02.07.2014	SLT	02.07.2014
V1.1	3 October 2016	Revision of original policy	SLT	03.11.2016	SLT	03.11.2016
V1.2	26 April 2019	Periodic Review	SLT	26.04.2019	SLT	26.04.2019
V1.3	6 Sept 2021	Periodic review	SLT	06.04.2019	SLT	06.09.2021
V1.4	7 Nov 22	Periodic Review	SLT	07.11.2022	GFC	07.11.2022
V1.5	27 Nov 23	Reduced from 4 to 3 stages  General updates in line with DfE model policy	SLT	27.11.23	FGB	30.11.2023

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**POLICY DOCUMENT ANNUAL REVIEW**

This Policy document is subject to a periodic Review (recommended annually) by Holyport College that is formally documented to ensure its continuing suitability, adequacy and effectiveness. Areas subject to review include, but are not limited to, follow up action from previous reviews, policy conformity, review of complaints, status of corrective and preventive actions, and improvements for the forthcoming year. Holyport College reserves the right to amend this Policy by notice following such review in circumstances in which it considers such change to be necessary or appropriate.

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## **Who can make a complaint?**

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to [Holyport College](#) about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

## **The difference between a concern and a complaint**

A concern may be defined as *‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’*.

A complaint may be defined as *‘an expression of dissatisfaction however made, about actions taken or a lack of action’*.

It is in everyone’s interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. [Holyport College](#) takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, [Walter Boyle](#), will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, [Walter Boyle](#) will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, [Holyport College](#) will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.


## **How to raise a concern or make a complaint**

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the appropriate teacher, Housemaster, Head of Department or member of the College’s leadership team. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance, to [Walter Boyle \(the Founding Head Master\)](#) via the school office ([info@holyporthcollege.org.uk](mailto:info@holyporthcollege.org.uk)). Please mark them as Private and Confidential.

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Complaints that involve or are about the headteacher should be addressed to [Bruce Powell](#) (the Chair of Governors), via the school office ([info@holyporthcollege.org.uk](mailto:info@holyporthcollege.org.uk)). Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to [Liz Critchlow](#) (the Clerk to the Governing Body) via the school office ([info@holyporthcollege.org.uk](mailto:info@holyporthcollege.org.uk)). Please mark them as Private and Confidential.

You can also ask third party organisations like the Citizens Advice to help you. In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

### **Anonymous complaints**

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

### **Time scales**


You must raise the complaint 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 this time frame if exceptional circumstances apply.

### **Complaints received outside of term time**


We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

### **Scope of this Complaints Procedure**

This procedure covers all complaints about any provision of community facilities or services by [Holyport College](#) other than complaints that are dealt with under other statutory procedures, including those listed below.

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<b>Exceptions</b>	<b>Who to contact</b>
Admissions to schools Statutory assessments of Special Educational Needs School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with <a href="#">RBWM</a> .
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.  If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).
Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a> .  <i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</i>
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.  The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a> .  Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.  Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.

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Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
National Curriculum - content	Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against **Holyport College** in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

### **Resolving complaints**

At each stage in the procedure, **Holyport College** wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.


### **Withdrawal of a Complaint**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

## **COMPLAINTS PROCEDURE**

Most concerns can be dealt with quickly and informally by a telephone call, an e-mail or a word with the member of staff concerned, rather than becoming formal complaints. The form tutor or class teacher is usually the first port of call. You may also wish to raise your concern with the House Master (for boarding and pastoral issues) or Head of Department (for purely academic issues).

### **Stage One**

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If you have been unable to resolve your concern informally or you do not wish to do so, you should write to the Founding Head Master ([w.boyle@holyportcollege.org.uk](mailto:w.boyle@holyportcollege.org.uk) or [info@holyportcollege.org.uk](mailto:info@holyportcollege.org.uk)). He will assign the most appropriate member of the Senior Leadership Team to look into your complaint. A response to your complaint will be sent as soon as possible, usually within 10 school days, and a meeting to explain the outcome will be arranged if necessary and practical.

### **Stage Two**

If you are still dissatisfied, or if your complaint is of a very serious nature, you may complain to the Head Master ([hmpa@holyportcollege.org.uk](mailto:hmpa@holyportcollege.org.uk)). Complaints to the Head Master must be made in writing, be accompanied by any appropriate documentation and make it clear that you are invoking Stage Two of the Complaints Procedure.

The Head Master will acknowledge your complaint as soon as possible and will explain how it will be investigated. Generally, he will review the processes and decision making made at Stage 2. The Head Master may arrange an appointment to discuss the complaint with the complainant. These investigations will often involve other senior staff. Complaints will normally be investigated within 20 school days.

When the investigation is complete, the Head Master will write to you to explain the outcome of your complaint.


### **Stage Three**

If you remain dissatisfied, or if your complaint is about the Head Master, you should contact the Chair of Governors, Mr Bruce Powell, via the Clerk to the Governing Body, Miss Liz Critchlow – [clerk@holyportcollege.org.uk](mailto:clerk@holyportcollege.org.uk)

### **Complaints about governors**

Complaints about individual governors should be addressed to the Clerk to the Governing Body, Miss Liz Critchlow – [clerk@holyportcollege.org.uk](mailto:clerk@holyportcollege.org.uk) The Chair of Governors will hear the complaint and will proceed to a panel hearing if applicable.

Complaints against the Chair, the entire Governing Board or complaints against the Chair and Vice-Chair should also be sent to the Clerk who will determine the most appropriate course of action. This may involve sourcing an independent investigator to complete the formal stage and suitable people from other schools to hear the panel hearing.

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### **STAGE THREE COMPLAINTS PROCESS**

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a meeting with members of the governing body’s complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Clerk, via the school office, within **20** school days of receipt of the Stage 2 response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within **3** school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within **20** school days of receipt of the Stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant’s absence on the basis of written submissions from both parties.

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from [Holyport College](#) available, the Clerk will source any additional, independent governors through another local school or through their LA’s Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 3.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant’s needs.


If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

*Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.*

Representatives from the media are not permitted to attend.



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At least 10 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 10 school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:


- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and Holyport College with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Holyport College.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or

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- the majority of the governing body

Stage 3 will be heard by a committee of independent governors.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions [Holyport College](#) will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

### **Further Action**

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 3.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by [Holyport College](#). They will consider whether [Holyport College](#) has adhered to education legislation and any statutory policies connected with the complaint.


The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD.

If the complainant writes again on the same issue, then the correspondence may be recognised as vexatious and there will be no obligation on the part of the College to respond and it may take action in line with the College's Vexatious, Persistent Complaints and Harassment Policy.

### **Addresses**

**Miss Liz Critchlow, Clerk to the Governors Holyport College**  
Ascot Road, Holyport, Berkshire, SL6 3LE [clerk@holyporthcollege.org.uk](mailto:clerk@holyporthcollege.org.uk)

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### **Next steps**

If a complainant does not believe that a complaint has not been handled in accordance with the published complaints policy, or believes that the College has acted unreasonably or unlawfully, the ESFA can be contacted at

[www.education.gov.uk/contactus](http://www.education.gov.uk/contactus)

Or by telephone 0370 000 2288

Or in writing:

Academy Complaints and Customer Insight Unit  
 Education and Skills Funding Agency  
 Cheylesmore House  
 5 Quinton Road  
 Coventry  
 CV1 2WT

### **FREEDOM OF INFORMATION ACT**

Under the Freedom of Information Act 2000 the College has a responsibility to make certain information available to parents and members of the public.

We have already published a scheme setting out the classes of information that we publish and how it is available. You can apply for it in paper form by telephone, email or letter. To help us process your request quickly, please clearly mark any correspondence “FOI Publication Scheme Request”.

If the information that you are looking for is not available via the scheme and is not on our website, you can still contact the College to ask if we have it. Some information which we hold may not be made public, for example personal or commercially sensitive information.


Information published on our website is free, although you may incur costs from your Internet service provider. If you don't have Internet access, you can access our website using a local library or an Internet café.

Single copies of information covered by this publication scheme are provided free unless stated otherwise. If your request means that we have to do a great deal of photocopying or printing, or pay a large postage charge, or is for a priced item we will let you know the cost before fulfilling your request.

### **Addresses**

If you wish to make an application under the scheme or wish to make a complaint about the scheme or any matter associated with it then you should contact:

Miss L Critchlow, Clerk to Governors  
 Holyport College, Holyport, Berkshire, SL6 3LE [clerk@holyporthcollege.org.uk](mailto:clerk@holyporthcollege.org.uk)

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If you are not satisfied with the assistance that you get or if we have not been able to resolve your complaint and you feel that a formal complaint needs to be made then this should be addressed to the Information Commissioner. The Commissioner ensures compliance with the Freedom of Information Act 2000 and deals with formal complaints. The Commissioner can be contacted at:

Telephone: 0303 123 1113

## **DATA PROTECTION ACT**

Holyport College is registered under the Data Protection Act 1998.

Pupils have certain rights under the Data Protection Act, including a general right of access to personal data held on them, with parents exercising this right on their behalf if they are too young to do so themselves. Further details are attached at Annex A.

Separately from the Data Protection Act, regulations provide a pupil's parent (regardless of the age of the pupil) with the right to view, or to have a copy of, their child's educational record at the College. If you wish to exercise this right you should write to the Head Master.

### **Images of Pupils for Publicity Purposes**

The College believes that the importance of recognising the achievements of individual pupils and of the school as a whole outweighs any potential risk of using images of pupils in its publications or in the media. Care and discretion is always used in using such images. Parents, or a pupil of 16 or over, can ask that images are not used in this way.

### **Privacy Notice - Data Protection Act 1998**


Holyport College is the Data Controller for the purposes of the Data Protection Act. We collect information from you, and may receive information about you from your previous school and the Learning Records Service<sup>1</sup>. We hold this personal data and use it to:

- support pupils' teaching and learning;
- monitor and report on their progress;
- provide appropriate pastoral care;
- assess how well the school as a whole is doing;
- support transition to post 16 education/training

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<sup>1</sup> The Learning Records Service fits within the heart of the learner experience and is designed to support learners at all levels to access, manage and use their own achievement information - such as qualifications, awards or training received as they progress through education, training and lifelong learning.

The Learning Records Service, part of Information Management (IM) Services, provides shared services across the education sector. The Learning Records Service is built on the principle of collect once, use many times and used by all that are entitled to do so. It supports the whole of the education sector.

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This data includes your contact details, national curriculum assessment results, attendance information<sup>1</sup>, characteristics such as ethnic group, special educational needs and any relevant medical information. If you are enrolling for post 14 qualifications we will be provided with your unique learner number (ULN) by the Learning Records Service and may also obtain from them details of any learning or qualifications you have undertaken.

This data may only be used or passed on for specific purposes as allowed by law. From time to time the school is required to pass on some of this data to local authorities, the Department for Education (DfE), and to agencies that are prescribed by law. All these are data controllers in respect of the data they receive, and are subject to the same legal constraints in how they deal with the data.

Pupils, as data subjects, have certain rights under the Data Protection Act, including a general right to be given access to personal data held about them by any data controller. The presumption is that by the age of 12 a child has sufficient maturity to understand their rights and to make an access request themselves if they wish. A parent would normally be expected to make a request on a child's behalf if the child is younger.

If you wish to access your personal data, or that of your child, then please contact the Bursar on [bursar@holyporthcollege.org.uk](mailto:bursar@holyporthcollege.org.uk).

If you require more information about how the LA and/or DfE store and use this data please go to the following websites:


- <http://www.education.gov.uk/researchandstatistics/datatdatam/b00212337/datause>

If you are unable to access the website, please contact the LA or the DfE as follows:

- Public Communications Unit  
Department for Education  
Sanctuary Buildings  
Great Smith Street London  
SW1P 3BT  
website: [www.education.gov.uk](http://www.education.gov.uk)  
email: [http://www.education.gov.uk/help/contact us](http://www.education.gov.uk/help/contact-us)  
tel: 0370 000 2288

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<sup>1</sup> Attendance is not collected for pupils under 5 at early Years settings or maintained Schools as part of the census for the Department of Education.

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**APPENDIX 1 - STAGE THREE COMPLAINT SUBMISSION FORM**

Please complete any relevant information related to your complaint using the form below. Items marked with an asterix (\*) are required:

Your Name:*	
Pupil's Name (if relevant):	
Relationship to the pupil (if relevant):	

Postal Address:*	
Email address:	
Daytime Telephone Number:*	
Mobile Number:	

Please summarise the action or decision which is the subject of your complaint	
About whom is your complaint: <i>(e.g. the Head Master, the governors, an individual member of staff)</i>	
Please give details of your complaint:*	



Stage 4 complaints will only be considered where stages 1-3 have been exhausted. What action, if any, have you already taken to try and resolve your complaint *e.g. Who did you speak to? What was the response?* \*

What actions do you feel might resolve the problem at this stage:\*

Are you attaching any documents (if so please provide details):

Date of complaint submission\*

*Please attach a separate sheet if you wish to provide further details*