LOCHINVER HOUSE

Complaints Policy and Procedure

Lochinver House School has long prided itself on the quality of the teaching and pastoral care provided to its pupils. If parents of current registered pupils do have a complaint however, they can expect it to be treated by the School in accordance with this procedure. Lochinver House School believes that complaints treated as constructive suggestions can be used to improve standards and may prevent cause for further complaint. Even an unjustified complaint may indicate an area which can be improved. Any matter about which parent(s) of a current registered pupil is unhappy and seeks action by the School will be handled as a complaint as we feel it is an expression of dissatisfaction with a real or perceived problem. "Parent(s)" means the holder(s) of parental responsibility for a current pupil about whom the complaint relates. The School will consider whether any themes or trends arising from complaints indicate improvements that should be made to policies, procedures or practice

This policy applies to complaints from parents of current pupils (including parents of pupils in the School's Early Years Foundation Stage) and to parents of former pupils if the complaint was raised when the pupil was on roll at the School. It does not apply to parents of prospective pupils. Separate procedures apply in the event of a safeguarding or child protection issue (which will be managed in accordance with the School's Child Protection and Safeguarding Policy), or if the Head requires the permanent removal of a pupil from the School (see Behaviour Policy). Where parents seek a review of a decision to permanently exclude a pupil from the School, Stage 3 of this Complaints Policy can be used as an appeals process.

No complaint may be brought under the policy in relation to the non-payment of any sum(s) owing to the School. If a parent has a complaint regarding any action taken (or proposed to be taken) by the School as a result of their failure to pay any sum(s) owing to the School, the parent may write to the Clerk to the Governors at the School who will refer the matter to the Chair of Governors. The making of a complaint does not remove the obligation to settle fees due and payable under the School's Terms and Conditions.

The School will make reasonable adjustments to enable complainants to access and complete the complaints process. This may include providing information in accessible formats, translation support, or other reasonable adjustments

The policy provides guidelines for the handling of complaints and takes account of paragraph 33 of the schedule to the Independent School Standards Regulations 2014.

What constitutes a complaint

A complaint may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'. 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. Although all formal complaints will be made in writing, this does not mean that the formal stage is automatically triggered whenever a concern is expressed in writing, for example, by email. Complaints will usually only progress to the formal stage after first being considered at the preliminary stage and only then if the parent concerned intends to escalate a matter to the formal stage.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially, and no pupil will be penalised for a complaint raised in good faith.

Requests for financial awards, such as claims for compensation, damages or fee refunds, are beyond the scope of the School's complaints policy and procedures.

All parents should be aware that regardless of the nature of a complaint and whether it is upheld, they are not entitled to details of any related sanctions imposed on staff, pupils or parents for reasons of data protection and confidentiality.

Anonymous Complaints
The School will not normally investigate anonymous complaints. However, the Head or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Timeframe for dealing with complaints
All complaints will be handled seriously and sensitively and within clear and reasonable timescales. It is in the interest of all to resolve a complaint as swiftly as possible. 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. Complaints made outside this time frame will only be considered if exceptional circumstances or good reason for the delay applies.

All complaints will be acknowledged within five (5) working days. The School seeks to complete the first two stages of the procedure within twenty (20) working days. The Appeal Panel Hearing, outlined below, will be completed within a further 20 working days. Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages this will be regarded as vexatious and outside the scope of this policy.

For the purposes of this procedure, working days refers to weekdays (Monday to Friday) during term time, excluding bank holidays and half term. 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.

THE THREE STAGE COMPLAINTS PROCEDURE

Stage 1 – Informal Resolution

1. It is hoped that most complaints and concerns will be resolved quickly and informally.
2. Parents are encouraged to address their concern to the employee with the appropriate responsibility. This person is most likely to be able either to explain matters or to affect a solution. In many cases the matter will be resolved immediately by this means to the parent's satisfaction. If the employee cannot resolve the matter alone, it may be necessary for him/her to consult another more senior employee.
3. Certain parents may wish to go straight to the Head with their concerns, and this is respected. Complaints made directly to the Head will be referred to the relevant employee, unless the Head deems it appropriate to deal with the matter personally.
4. The employee approached will endeavour to settle the complaint immediately if it is straightforward or normally within five (5) working days if further investigation or consultation is necessary. Unless the matter is easily settled the employee must make a written and dated record of the complaint, when it was raised and how it has been dealt with. Every effort will be made to settle the matter informally.
5. Where the complaint concerns the Head, the complaint should be referred directly to the Chair of Governors, who will determine whether to deal with the matter informally or under Stage 2.
6. In some cases where a parent may wish to retract a complaint the School may still pursue the matter if it considers it right to do so, for example to deal with an issue or to ensure satisfaction for a person complained against.
7. Should the matter not be resolved within 10 working days, or if the School and the parents fail to reach a satisfactory resolution, parents will be advised to proceed in accordance with Stage 2 of this procedure.
8. When a concern to the School is expressed via email this will not automatically trigger Stage 2 of the process which needs to be submitted in writing. Complaints will usually only progress to the formal stage after first being considered at this informal resolution stage and only then if the complainant intends to escalate the matter.

Stage 2 – Formal Resolution

1. If the complaint cannot be resolved on an informal basis, parents should put their complaint in writing to the Head stating that they wish for the matter to be dealt with formally. Their letter should set out the particulars of the complaint and the resolution that is sought. The Head will decide, after considering the complaint, the appropriate course of action to take.
2. In most cases, the Head (or a member of the Senior Leadership Team, as they decide) will discuss the matter with the parents concerned within 5 working days of receiving the complaint. As appropriate to the circumstances, the Head may propose a particular course of action, such as mediation. It may be necessary for the Head to carry out further investigations or to ask a senior member of staff to act as Investigator.
3. Written records of all meetings and interviews will be kept and held in relation to the complaint.
4. Confidential files on all complaints reaching Stage 2 are recorded and kept by the Head.
5. If, however, the complaint is against the Head, parents should make their complaint directly to the Chair of Governors.
6. Once the Head is satisfied that, so far as is practicable, all the relevant factors have been established, the parents will be informed of the decision, with reasons and in writing.
7. It is hoped that parents will feel satisfied with the outcome, or that, at least, all of the concerns raised by the parents have been fully and fairly considered. If parents are not satisfied with the decision, they should proceed to Stage 3 of this procedure.

Stage 3 – Panel Hearing

Introduction and scope of the Stage 3 Panel Hearing ("Hearing")

A Stage 3 Panel Hearing is a review of the decisions taken at Stage 2 by the Head (or in circumstances where the formal complaint concerns the Head, the Chair of Governors appointed to act in his/her place). The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure. The Panel's role is to consider whether the complaint was properly investigated, whether procedures were followed and whether the decision reached was reasonable, acting proportionately, given all the facts that were available at the time.

Notification

A request for a Stage 3 Panel Hearing must be put in writing to the Clerk to the Governors and will usually only be considered if the procedures at Stages 1 and 2 have been completed. This must be done within 5 working days of the Head's decision made at Stage 2.

Parents must state in their letter full details of the complaint, the outcome sought, the grounds on which they wish to appeal against the decision of the Head and enclosing all relevant documents and full contact details. Parents should also include a list of the documents which they believe to be in the School's possession and which they would like the Panel to see.

If parents require assistance with their request, for example, because of a disability, the School will be happy to make appropriate arrangements.

The Clerk to the Governors will acknowledge the request for a Hearing in writing within 5 working days of receipt during term time and as soon as practicable during the School holidays.

Convening the Panel

The review will be considered by a panel (the "Panel"). The Panel is appointed by the Governing Body and will consist of no fewer than three people, none of whom is concerned with the matter under discussion, including one who is completely independent of any involvement in the management or running of the School. The Panel members will appoint one of themselves to be the Chair of the Panel throughout the proceedings.

Notice of Hearing

Every effort will be made to enable the Hearing to take place within 15 working days of receipt of the request. However, parents should note that the Panel will not normally sit during half terms or School holidays.

As soon as reasonably practical, and in any event no fewer than 10 working days before the Hearing, parents will be sent written notification of the date, time and place of the Hearing, together with the names of the Panel members who will be present.

Copies of additional documents which parents wish the Panel to consider must be sent to the Panel no fewer than 7 working days prior to the Hearing. Any documents to be considered by the Panel will be circulated to all parties no fewer than 3 working days prior to the Hearing date.

Attendance

Parent(s) may be accompanied to the Hearing by one other person. This may be a relative or friend. The Hearing is an internal proceeding, not legal proceedings, and legal representation is unnecessary and not normally appropriate. The Panel must be given no fewer than 5 working days' notice if the person accompanying the parent is legally qualified. Parents should note that the Panel will wish to speak to them directly and the accompanying person is not there to act as an advocate.

The Hearing will continue unless parents formally withdraw the complaint in writing. If parents choose not to attend, the Panel may hear the complaint and may reach a finding and conclude the matter in the parents' absence.

The Role of the Panel

The role of the Panel is to establish the facts surrounding the complaint by considering:

- the documents provided by both parties;
- any representations made by parents, the Head or other members of staff,

and then to reach a decision, on the balance of probabilities, as to whether each complaint is made out in whole or in part.

Powers of the Panel

It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, pupils or parents. The Panel may make findings and recommendations on disciplinary or any other procedural issues that the School consider action under other applicable procedures, to the Head or to the full body of School Governors as appropriate.

The Hearing

The parties shall have the opportunity to ask questions and make comments in an appropriate manner. The Hearing is not a legal proceeding, and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and / or may take written statements into account.

All statements made at the Hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes. A clerk appointed by the Panel will take minutes of the proceedings.

All those attending the Hearing are expected to show courtesy, restraint and good manners or, after due warning, the Hearing may be adjourned or terminated at the discretion of the Panel Chair. Any person who is dissatisfied with any aspect of the way the Hearing is conducted must say so before the proceedings go any further and their comment will be minuted.

Adjournment

If possible, the Panel will resolve the complaint without the need for further investigation. However, the Panel Chair may adjourn the Hearing at their discretion for further investigation of any relevant issue including taking legal advice.

Decision

After due consideration of all the facts it considers relevant, the Panel will reach a decision (and may make recommendations) which it shall complete within 10 working days of the Hearing wherever possible but within 28 days in any event unless otherwise agreed with the parent(s) bringing the complaint. The Panel will write to the parent(s) informing them of its decision and the reasons for it. Communication of the decision will normally be via electronic means. However, this can be posted or given to the parent(s) if they do not wish to receive an electronic copy.

The decision of the Panel will be final. Completion of Stage 3 represents the conclusion of the School's Complaints Procedure. The Panel's findings and, if any, recommendations will be sent in writing to the parents, the Governors, the Head and, where relevant, the person complained of. A copy of the report will also be retained on site and made available for inspection on the School premises by the Governing Body and the Head.

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

Nothing in this Policy shall prejudice the right of parents of a child with SEN or a disability to seek redress from the First Tier Tribunal (Special Educational Needs and Disability) if they believe there has been unfavourable treatment.

Nothing in this Policy shall prejudice the right of the School to require parents (who, following appropriate investigation and consideration, have been found to have raised a complaint maliciously or in bad faith) to withdraw their child from the School in accordance with Clause 7c of the parent contract.

Private proceeding
Any Hearing before the Panel is a private proceeding and no records or oral statements about any matter discussed in or arising from the proceedings shall be made directly or indirectly available to the press or other media.

Records and Confidentiality
A written record will be kept of all formal complaints and of whether they are resolved at Stage 2 or proceed to a Panel Hearing. The record will also include details of action taken by the School, regardless of whether or not the complaint was upheld.

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 2008 Act requests access to them.

In accordance with DfE guidance, the School will retain records of formal complaints and panel hearings for a minimum of 7 years.
Record of complaints in the last academic year (2025-2026) show that no complaints proceeded to Stage 2 or Stage 3.

Early Years Requirements
Written complaints about the fulfilment of the EYFS requirements will be investigated and the complainant notified of the outcome of the investigation within 28 days. Lochinver House School will provide ISI/Ofsted, on request, with a written record of all complaints registered and conducted under the formal (Stage 2) made during any specified period, and the action which was taken as a result of each complaint.

In the event of any complaint to the School, where parents of those in the Early Years Foundation Stage (EYFS) (Reception year group) are dissatisfied with the outcome, they are entitled to contact ISI and Ofsted directly. ISI can be contacted regarding complaints on complaints@isi.net or by telephoning 0207 6000 100. The leaflet: 'Complaints to Ofsted about Schools: Guidance for Parents', reference 080113 may be downloaded from www.ofsted.gov.uk. This indicates the procedures for making a complaint. A complaint may also be made directly to the DfE, using weblink: Contact the Department for Education

Managing Serial and Unreasonable complaints

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 complainants have with our 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.

The School adopts the Department for Education's definition of unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the School, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice

- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- 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 Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums

Complainants should endeavour to limit communication with the School relating to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Some unreasonable complaints may be considered vexatious. The characteristics of a vexatious complaint are:
- complaints which are obsessive, persistent, harassing, prolific, repetitious
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- insistence upon pursuing meritorious complaints in an unreasonable manner
- complaints which are deliberately designed to cause disruption or annoyance
- demands for redress that lack any serious purpose or value.

Whenever possible, the Head (or Chair of Governors, if the complaint is about the Head) will discuss any concerns with the complainant informally before applying an '*unreasonable'* marking to the complaint.

If the behaviour continues, the Head will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants 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 be reviewed after six months.

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 barring an individual from the School site.

It is open to a complainant to request that a Panel be convened to determine the single issue of whether the School's dismissal of the complainant's original complaint(s) was justified.

Reviewed By	Head
Approval Body/ Committee	Full Governing Body
Last Review	Autumn 2026
Next Review	Autumn 2027
Policy Linked To	Child Protection and Safeguarding Policy and Procedure (incorporating Staff Behaviour and Code of Conduct), Data Protection Policy, Privacy Notice

Any data held in relation to the content of this policy will be managed in accordance with our Data Protection Policy and Privacy Notice.