Complaints Policy

Berkhamsted Prep and Pre-Prep

Berkhamsted Senior Schools & Sixth

Heatherton

Berkhamsted Day Nursery Ltd.

Berkhamsted School Enterprises Ltd.

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Scope of this policy

1 Circulation

1.1 This policy is addressed to all staff and parents. It is published on the School's website.

1.2 This policy can be made available in large print or other more accessible format, if required. If you require assistance with making a complaint, for example because of a disability, please contact the Vice Principal who will be happy to make appropriate arrangements.

2 Policy status

2.1 The policy has been approved by the Principal and the Governing Body of the Berkhamsted Schools Group ("the School") and also applies to the Berkhamsted Day Nursery (the Nursery) (collectively referred to as "the Schools"). It provides guidelines for handling complaints. It takes account of paragraph 33 of the schedule to the Education (Independent School Standards) Regulations 2014 (SI 2014/3283) as amended, the National Minimum Standards for Boarding (May 2026) and the requirements of the Early Years Foundation Stage statutory framework (effective from 1 September 2025). The procedures set out below may be adapted as appropriate to meet the Policy aims and circumstances of each case. Certain of the procedures can only be carried out during term time, for example where they require teaching staff to be present for an investigation or hearing.

3 Application

3.1 This Policy applies only to complaints made by parents.

3.2 Definition of Complaints and Concerns

3.2.1 The School advises staff that a **complaint** is "an expression or statement of dissatisfaction by a parent however made, about actions taken or a lack of action, and which seeks action by the School".

3.2.2 A **concern** is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought".

3.2.3 Many issues can be resolved informally without the need to follow formal procedures; nonetheless the School will take informal concerns seriously and will make every effort to resolve the matter as quickly as possible.

3.2.4 The written record of complaints is limited to all those made in writing under the **formal** part of the procedure. Patterns of concerns will be detected by their reporting at the relevant Senior Management Team meeting.

3.2.5 However, there will be occasions when a parent will want to raise their concerns formally, and in such cases, they will be treated as complaints and the Complaints Policy will be followed.

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3.3 Child Protection

3.3.1 Separate procedures apply in the event of a child protection issue – please refer to the School's Child Protection and Safeguarding Policy.

3.4 Data Protection

3.4.1 Complaints relating to the handling or processing of personal data are not dealt with under this policy. These include concerns about access to personal information, accuracy, use, sharing, or security of personal data.

3.4.2 Such matters should be raised in the first instance directly through the Data Protection Adviser via dataprotection@berkhamsted.com

3.4.3 If the complainant is dissatisfied with the outcome of their data protection complaint, they may escalate the matter in accordance with this Complaints Policy. They may also raise a complaint with the Information Commissioner's Office at any time.

3.4.4 For the avoidance of doubt, the School's Complaints policy is only for parents unless the matter pertains exclusively to escalation of a complaint about data protection.

3.5 Welfare of Boarders

3.5.1 Information is provided to boarders on how they can contact someone (both internally and externally), or make a complaint, in the Boarding Handbook - https://handbook.berkhamsted.com/boarding/boarders-wellbeing/)in case of problems or distress. These include the Children's Commissioner or the Independent Schools Inspectorate (ISI). Parents may also contact the ISI Inspectorate. Details of how to contact ISI will be provided on request/are given at the end of this procedure (see Appendix 2).

3.5.2 Boarders are also given information about how to make a formal complaint.

3.5.3 The Designated Senior Leads for child protection at the School (Mr Andrew Mair for Senior & Sixth and Mrs Tracey Evans for Preps and Enterprises) will be able to give any relevant party, on request, the name and contact details for the Herts/Bucks Child Services with responsibility for the relevant part of the School. Alternatively details may be found on the Hertfordshire Safeguarding Children Partnership / Buckinghamshire Safeguarding Children Partnership website as appropriate (**https://www.hertfordshire.gov.uk/services/childrens-social-care/child-protection/hertfordshire-safeguarding-children-partnership/hscp.aspx** and **https://www.buckssafeguarding.org.uk/childrenpartnership/**

3.6 Early Years Foundation Stage (EYFS)

3.6.1 Parents can make a complaint to Ofsted and / or the Independent Schools Inspectorate (**ISI**), although it is expected that complaints will go through the

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School's complaints procedure first. Details of how to contact Ofsted and ISI will be provided on request/are given at the end of this procedure (see Appendix 2).

3.7 Decisions made by the Principal under the Expulsion and Required Removal Policy

3.7.1 The Complaints Policy does not apply in relation to a decision made by the Principal to remove or expel a pupil from the School. Parents seeking a review of a decision made by the Principal under the Expulsion and Required Removal Policy may seek a Governors' Review of the Principal's decision under the Governors' Review Procedure, which is made available to such parents on request.

3.8 Admissions Policy

3.8.1 The Complaints Policy only applies to parents of current pupils, and therefore complaints from parents of prospective pupils relating to the implementation of the School's Admissions Policy and entrance procedures are not within the scope of this Policy.

4 Parent(s)/You

4.1 In this Policy "parent" means one or both parents and includes any person who is not a parent but who has parental responsibility, or who has care for the child.

4.2 It may, at our discretion, include an education guardian or a parent whose child has recently left the Schools, as long as notification of the complaint was received whilst the pupil was still registered at one or our schools.

5 Four steps

5.1 This policy describes a four step procedure, or a three stage *formal* procedure, preceded by an informal stage:

5.1.1 Informal communication
Informal raising of a concern or complaint notified orally or in writing to a member of staff.

5.1.2 Stage 1
A formal complaint in writing to the relevant Headteacher.

5.1.3 Stage 2
A formal complaint in writing to the Principal or to the Chair of the Governing Body.

5.1.4 Stage 3
A referral to the Complaints Panel.

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6 Timescales

6.1 With regard to the Department for Education's Best Practice Guidance for School Complaints Procedures 2020, we expect complaints to be raised within three months of the incident complained of, or where a series of associated incidents has occurred within three months of the last of these incidents. We may however, consider complaints made outside of this time frame if exceptional circumstances apply.

6.2 We aim to resolve any complaints in a timely manner. Timescales for each stage are set out below in the relevant paragraphs. We aim, wherever reasonably practicable, **to conclude all complaints within a school term**.

6.3 The School may deviate from any of the stated timescales should it be considered reasonable in the circumstances. If this happens, amended timelines will be communicated to parents. Should parents provide notification of a complaint outside of the stated timeframes for any Stage they should include details of the circumstances that prevented the notification being given sooner for consideration along with the notification.

6.4 When we refer to working days, we mean Monday to Friday, when the School is open during term time. The dates of terms are published on the School's website. Complaints received within the last week of term or during school holidays may take longer than the published timescales as it is not always possible to complete a full investigation due to school holidays.

6.5 A complaint about the safety of your child should be notified immediately to the person you believe is best placed to take urgent action and should be confirmed in writing to the relevant headteacher.

Policy Aim and Statement

7 Aim

7.1 The aim of this policy is to ensure that a complaint is managed sympathetically, efficiently and at the appropriate level, and resolved as soon as possible. Doing so is good practice, it is fair to those concerned and it helps to promote parents' and pupils' confidence in our ability to safeguard and promote welfare. We will try to resolve every complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing our systems and procedures in light of the circumstances.

8 Statement

8.1 We need to know as soon as possible if there is any cause for dissatisfaction. We

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recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment, which would be damaging to relationships and also to our School culture. Parents and pupils should never feel (or be made to feel) that a complaint will be taken amiss or will adversely affect a pupil or his/her opportunities at the School. The policy, however, distinguishes between a complaint which can be resolved informally and a formal complaint which will require investigation.

9 Informal Stage

9.1 We expect that most complaints, where a parent or pupil seeks intervention, reconsideration or some other action to be taken, can be resolved informally. Examples might include a dissatisfaction about some aspect of teaching or pastoral care, or about allocation of privileges or responsibilities, or about a timetable clash or some other aspect of the Schools' systems or equipment, or a billing error. Your complaint will be acknowledged by telephone, e-mail or letter within **two working days** during term time, indicating the action that is being taken and the likely timescale. Complaints of discrimination, harassment or victimisation are taken very seriously and may need to be dealt with at Stage 1 or Stage 2.

9.2 Notification

9.2.1 If appropriate, please raise the complaint initially as follows:

9.3 Education Issues

9.3.1 If the matter relates to the classroom, the curriculum or special educational needs, please speak or write to the Form Teacher (Prep Schools), Head of House (Senior Schools) or Assistant Head (Sixth Form).

9.4 Pastoral Care

9.4.1 For complaints relating to matters outside the classroom or in the House, please speak or write to the Form Teacher (Prep Schools), Head of House (Senior Schools) or Assistant Head (Sixth Form).

9.5 Disciplinary Matters

9.5.1 A complaint about any disciplinary action taken or a sanction imposed should be raised first of all with the Form Teacher (Prep Schools), Head of House (Senior Schools) or Assistant Head (Sixth Form).

9.6 Financial Matters

9.6.1 A complaint relating to fees or extras should be stated in writing to the Finance Director.

9.7 Should a matter not be resolved within **10 working days**, or fail to reach a satisfactory resolution, parents are advised to proceed with the Stage 1 of this procedure.

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10 Stage 1: Formal Complaint

10.1 Notification

10.1.1 An unresolved complaint under the Informal Stage, or a complaint which needs investigation, or a dissatisfaction with some aspect of the Schools' policies, procedures, management or administration should be set out in writing with full details and all relevant attachments/documents and sent by email or in an envelope addressed to the relevant Headteacher. Your complaint will be acknowledged by e-mail or letter within **two working days** during term time, indicating the action that is being taken and the likely time scale.

10.2 Education Issues

10.2.1 If the matter relates to the classroom, the curriculum or special educational needs, please speak or write to the Headteacher of the relevant part of the School.

10.3 Pastoral Care

10.3.1 For complaints relating to matters outside the classroom or in the House, please speak or write to the Headteacher of the relevant part of the School.

10.4 Disciplinary matters

10.4.1 A problem over any disciplinary action taken or a sanction imposed should be raised first of all with the Headteacher of the relevant part of the School.

10.5 Financial Matters

10.5.1 A complaint relating to fees or extras should be stated in writing to the Chief Operating Officer.

10.6 Acknowledgement

10.6.1 We will acknowledge a complaint sent by email or letter by telephone, e-mail or letter within **two working days** of receipt during term time and as soon as practicable in the holidays.

10.7 Unresolved complaints

10.7.1 Parents are advised that a complaint which has not been resolved, or has failed to reach a satisfactory resolution, at Stage 1 within **ten working days** (or within the alternative timescale notified to parents separately) of receipt of the complaint should be dealt with in accordance with Stage 2 below.

11 Stage 2: Review of formal complaint

11.1 Further steps

11.1.1 If you are dissatisfied with the decision under Stage 1, your complaint may be restated in writing to the Principal ***or*** to the Chair of Governors. In the event

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that the Principal is the subject of the complaint, your complaint should be made in writing to the Chair of Governors, and the procedure will begin at Stage 2 Review.

11.2 Notification

11.2.1 You should write to the Principal or Chair of Governors within **five working days** of receiving the Stage 1 decision. Your email or letter should give full details of your complaint and attach or enclose all relevant documents and your full contact details. Your email or letter will normally be acknowledged by telephone, e-mail or letter within **two working days** during term time, indicating the action that is being taken and the likely time scale.

11.3 Investigation

11.3.1 The Principal or Chair of Governors may ask a senior member of staff and/or one or more Governors to act as **Investigator**. Any investigator appointed will have no prior involvement with the complaint to ensure a fair independent investigation. The Investigator may request additional information from you and will probably wish to speak to you personally and to others who have knowledge of the circumstances. The outcome of the investigation will be reported to the Principal or Chair of Governors who will then notify you by telephone, e-mail or letter of his decision and the reasons for it. Records will be kept of all meetings and interviews held in relation to your complaint.

11.4 Outcome

11.4.1 The aim will be to inform any complainant of the outcome of an investigation and the resolution to the complaint within **ten working days** from the receipt of the Stage 2 complaint. Please note that any complaint received within one month of the end of term or half term is likely to take longer to resolve owing to the presence of school holidays and the unavailability of personnel.

11.5 Early Years Foundation Stage

11.5.1 You will be notified of the outcome of the investigation within **twenty-eight days** of the complaint being received.

12 Stage 3: Reference to the Complaints Panel

12.1 Complaints Panel hearing is a review of the decisions taken by the Principal ***or*** the Chair of Governors (See Stage 2, above). The Panel will not consider any areas of complaint not previously raised under Stage 2.

12.2 Grounds for Progressing the Complaint

12.2.1 Parents wishing to seek a Stage 3 review by the Complaints Panel should request this within **five working days** of notification of the Stage 2 decision. In their application, the parents must state the grounds on which they are

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progressing the complaint and the outcome which they seek.

12.3 The role of the Panel

12.3.1 The Panel's task is to establish the facts surrounding the complaint/s that has/have been made by considering:

12.3.1.1 the documents provided by both parties; and

12.3.1.2 any representations made by you, the Principal OR the Chair of Governors.

12.4 If, after establishing the facts, the Panel consider that the complaint is made out, they will uphold the complaint. If the Panel consider that the complaint is not made out, they will dismiss the complaint. They will make these decisions on the balance of probabilities.

12.5 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 recommendations on these or any other issues to the Principal or to the full body of Governors as appropriate.

12.6 Composition

12.6.1 We have constituted a Complaints Panel comprising members of the School Governing Body and at least one member who is independent of the governance, management and running of the School.

12.7 Notification

12.7.1 To request a hearing before the Complaints Panel please write to the Clerk to the Governors, the Chair of Governors (**or the Vice-Chair if Stage 2 has involved the Chair**) within **five working days** of the decision regarding the complaint. Your request will usually only be considered if you have completed the procedures at Stages 1 and 2. Please ensure that a copy of all relevant documents and your full contact details accompany your email or letter to the Clerk, Chair or Vice-Chair. Please state in your email or letter the outcome that you desire and all the grounds of your complaint. Please also send the Clerk, Chair or Vice-Chair a list of the documents which you believe to be in the School's possession and wish the Panel to see. The Clerk will acknowledge your request in writing within **two working days**. If you require assistance with your request, for example, because of a disability, please contact the Clerk who will be happy to make appropriate arrangements.

12.8 Convening the Panel

12.8.1 The Clerk to the Governors, Chair or Vice-Chair will convene the Complaints Panel as soon as reasonably practicable, but the Panel will not normally sit during half terms or school holidays. The Panel will consist of a minimum of three individuals who are not directly involved in the matter detailed in the complaint, one of whom is independent of the management and running of the school. The Clerk will send you the names of those appointed to sit on the Panel.

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12.9 Notice of hearing

12.9.1 Every effort will be made to enable the Panel hearing to take place within **ten working days** of the receipt of your request. As soon as reasonably practical and in any event, at least **five working days** before the hearing, the Clerk will send you written notification of the date, time and place of the hearing, together with brief details of the Panel members who will be present. The hearing will normally follow the procedure set out below.

12.10 Attendance

12.10.1 You will be invited to attend the hearing and may be accompanied by one other person such as a relative, teacher, or friend. It is not necessary for that person to be legally qualified; indeed, as panel hearings are not legal proceedings, if parents are accompanied by a legally qualified person that person will be attending in a supportive capacity only and will not be permitted to advocate on the parents' behalf. Please notify the School at least **three working days** before the hearing the name of the person who will be accompanying you, and in what capacity. Your child aged 13 and above may attend part or all of the hearing at the discretion of the Chair. Copies of any additional documents you wish the Panel to consider should be sent to the Clerk at least three clear working days prior to the hearing.

12.11 Non-attendance

12.11.1 Once you have indicated a wish to continue to Stage 3, for compliance purposes a panel hearing should take place unless you later indicate that you are now satisfied and do not wish to proceed further. In the event that you subsequently decide not to attend the hearing, the Panel will consider your complaint in your absence and issue findings on the substance of the complaint, thereby bringing the matter to a conclusion.

12.12 Chair

12.12.1 The hearing will be chaired by one member of the Panel (normally chosen by the Chair of Governors) and will be conducted in an informal manner.

12.13 Hearing

12.13.1 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. The Clerk (or suitable equivalent if unavailable) will be asked to take a handwritten minute of the proceedings.

12.14 Evidence

12.14.1 The Chair will conduct the hearing in such a way as to ensure that all those present have the opportunity of asking questions and making 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.

12.15 Conduct

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12.15.1 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 Chair. If terminated by the Chair due to the conduct of the complainants, the original decision will stand. 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 his/her comment will be minuted.

12.16 Adjournment

12.16.1 The Chair may, at his/her discretion, adjourn the hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.

12.17 Decision

12.17.1 After due consideration of the matters discussed at the hearing, the Panel shall reach a decision unless there is an agreed position. The Panel's decision, findings and any recommendations may be notified orally at the hearing or subsequently and shall be confirmed in writing to you by electronic mail where appropriate within **five working days**. If you do not wish to receive the decision by email, a copy will be given or posted to you. The decisions, findings and any recommendations will be available for inspection on the School premises by the Governing Body and the Headteacher. Reasons for the decision will be given. The decision may include recommendations and will be sent to you, the Chair of the Governing Body, the Headteacher and, where relevant, any person about whom the complaint has been made.

12.18 Private proceeding

12.18.1 A hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be made available directly or indirectly to the press, other media, or any third party.

13 Vexatious or serial / persistent complaints

13.1 Please note that whilst **all** complaints are investigated, the School reserves the right not to **progress** complaints which Governors consider vexatious, or serial / persistent, in line with Department for Education advice (see Best Practice Guidance for School Complaints Procedures 2020).

13.2 The Office of the Independent Adjudicator defines the characteristics of a "frivolous" or "vexatious" complaint as:

13.2.1 Complaints which are obsessive, persistent, harassing, prolific, repetitious

13.2.2 Insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason

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13.2.3 Insistence upon pursuing meritorious complaints in an unreasonable manner

13.2.4 Complaints which are designed to cause disruption or annoyance

13.2.5 Demands for redress which lack any serious purpose or value

13.3 If a complainant who has completed the procedure tries to re-open the same issue, the correspondence may then be viewed as "serial" or "persistent". However, the application of a "serial or persistent" marking should be against the subject or complaint itself rather than the complainant.

13.4 Any decision not to progress a vexatious, serial or persistent complaint will not be taken lightly and the School will consider all surrounding circumstances and best practice guidance before taking such action. Whenever possible the Principal and/or Chair of Governors will discuss any concerns with the complainant informally before dismissing a complaint as vexatious, serial or persistent. Should any such decision be taken this will be communicated to the complainant.

14 Confidentiality and Record Keeping

14.1 A record will be kept of all formal complaints (the Complaints Log), and of whether they are resolved at Stage 1, Stage 2 or proceed to a panel hearing, and any action by the school as a result of those complaints (regardless of whether they are upheld).

14.2 The Complaints Log will be monitored regularly by the Principal and the Educational Compliance Manager.

14.3 All records created in accordance with this Policy will be managed in accordance with the School's Data Protection Policy and Record Keeping Policy, along with the Parent and Pupil Privacy Notices which are available on the School website.

14.4 The findings and recommendations of a panel hearing and the actions taken by the school as a result of the complaint, will be available for inspection on the School premises by the Governors and the Principal.

14.5 The number of complaints registered under the formal procedure during the preceding school year will be reported to Governors annually, and will be supplied to parents on request.

14.6 Correspondence, statements and records relating to individual complaints are to be kept confidential except where access is requested by the Secretary of State or where disclosure is required in the course of an inspection or under other legal authority or court order.

14.7 Early Years Foundation Stage

14.7.1 A written record of complaints, their outcome and the action which was taken as a result of each complaint will be kept and will be provided to Ofsted and ISI on request.

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Appendix 1 - Procedures to be followed at a hearing of the Complaints Panel

1 Introduction

1.1 This is the procedure that will normally be followed by the Complaints Panel and is designed to ensure that all parties have the opportunity to present their views to the Panel.

2 Meeting format

2.1 The meeting will take the form of a "round the table" hearing, where all parties and the Panel are present in the same room throughout. Present in the room throughout the hearing will be:

2.1.1 the Panel Members;

2.1.2 the Clerk to the Panel. The Clerk will take notes of the meeting. Any notes produced by the Clerk will not be verbatim and will belong to the Chair. The Chair can authorise the release of the Clerk's notes on condition that they remain confidential;

2.1.3 the parents who have made the complaint;

2.1.4 the person that the parents have brought as a supporter;

2.1.5 the Principal;

2.1.6 any other appropriate member of staff.

2.2 **NB** Any witnesses called by any of the above parties may be asked to make their contribution and then leave rather than staying for the whole proceeding.

3 Suggested agenda

3.1 Welcome and introductions by the Chair.

3.2 Parents present their complaints. Where two parents are present, it is often more helpful if one parent undertakes the responsibility of presentation and answering of questions.

3.3 The Panel and the Principal may ask questions of parents for clarification. Questions should be put through the Chair of the Panel who can intervene if he/she thinks that questions are inappropriate or are straying into cross examination.

3.4 The Principal puts his/her case, explaining the reasons for the decision and consideration and calling witnesses if necessary.

3.5 The Parents and Panel members may ask questions of the Principal for clarification. Again such questions should be put through the Chair who can intervene as necessary.

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3.6 The Principal is invited to make any further relevant points.

3.7 The Parents are then invited to make any further relevant points.

3.8 When the Panel is satisfied that it has established facts sufficient for it to make its decision, the Chair may bring the hearing to a close and inform the parties that they will be notified in writing of the decision, normally within five working days.

3.9 The Parents and the Principal leave together with any witnesses, supporters or representatives.

4 Legal advice

4.1 If, during the hearing, parents introduce legal points on which the Panel feel they will need advice, they will consider one of two options:

4.1.1 the Panel may decide to take a careful note of points made and to consider the advice of the School's lawyers before making their final decision; or

4.1.2 if the Panel feel that an immediate response is required, they may adjourn the hearing to take telephone advice from the Schools' lawyers.

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Appendix 2 - Contacting ISI and Ofsted

1 Boarders Only

1.1 The School is inspected by ISI, an independent organisation which reports to the Government on schools. Boarders have the right to contact the Children's Commissioner (www.childrenscommissioner.gov.uk) or an inspector if they have a problem or complaint. Information is provided to boarders on how they can contact someone (both internally and externally), or make a complaint, in the Boarding Handbook - https://handbook.berkhamsted.com/boarding/boarders-wellbeing/).

1.2 Parents can also contact ISI by ringing 020 7600 0100 and further information is available on ISI's website here. In addition, contact details are available on the Ofsted website (https://www.gov.uk/government/organisations/ofsted/about/complaints-procedure and https://www.gov.uk/complain-about-school/private-schools)

2 Contact details for ISI

Independent Schools Inspectorate CAP House 9 - 12 Long Lane London EC1A 9HA	Telephone: 0207 600 0100 Please see information on the ISI's website here

3 Early Years Foundation Stage

3.1 The Schools are inspected by Ofsted and/or ISI, an independent organisation which reports to the Government on schools. Parents have the right to contact an inspector if they have a complaint. Ofsted and/or ISI will usually expect parents to have followed the School's formal complaints procedure before contacting them. However, you can report your complaint to Ofsted - further details are available at https://www.gov.uk/government/organisations/ofsted/about/complaints-procedure and https://www.gov.uk/complain-about-school/private-schools

3.2 Parents will be notified by the Schools before an inspection by ISI or immediately after an inspection by Ofsted. Parents will be invited by the inspecting authority to respond to a questionnaire in relation to the performance of the Schools.

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3.3 Following an inspection, once the Final Inspection Report has been received, the report will be supplied to parents of children who attend the setting regularly.

4 Record of Formal Complaints

4.1 The number of formal complaints covered by this Policy received in the preceding School year is available on request from the Principal's PA.

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