Complaints Policy

Last revised: October 2026 **Next Review:** October 2028

Policy Owner: Headmistress, Emma Morgan **Signed:** Ed Currie, Chair of Governors

Introduction

Lyndhurst School has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a complaint, they can expect it to be treated by the School with care and in accordance with this Complaints Procedure. Lyndhurst School makes its Complaints Procedure available to all parents of pupils and of prospective pupils on the School's website and in the School office during the School day, and Lyndhurst School will ensure that parents of pupils and of prospective pupils who request it are made aware that this document is published or available and of the form in which it is published or available, and of the number of complaints registered under the formal procedure during the preceding School year. In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulations 2014 Lyndhurst School will also make available, on request, to the Department for Education (DfE) or 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.

Although this 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.

This procedure is for parents only. Members of staff who wish to raise a concern or complaint about their employment should use the staff grievance procedure. Concerns about wrongdoing at the School should be raised under the Whistleblowing Policy, and any concern about a child's safety or welfare must be raised under the Safeguarding and Child Protection Policy.

Complaints by parents of former pupils will be dealt with under this Complaints Procedure only if the complaint was initially raised when the pupil to which the complaint relates was still registered as a pupil at the School.

The School will be mindful of its obligations under the Equality Act 2010 in the application of this policy.

Although the School endeavours to manage complaints in an open and transparent manner, parents should be aware that there may be circumstances which mean the School is unable to share complete details about how a complaint has been handled by the School, the evidence collated, steps taken in response or other related matters. This could be the case even when a complaint is upheld. For example, this may be because such information constitutes sensitive third-party data (for example belonging to a staff member, pupil or other parent), legal or regulatory requirements prohibit disclosure, or withholding information is in accordance with specific instructions from a statutory agency. This list is not exhaustive.

"Parent(s)" means the holder(s) of parental responsibility for a current or prospective pupil about whom the complaint relates.

What Constitutes a Complaint?

A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the School as a whole, about a specific department or about an individual member of staff, and any matter about which a parent is unhappy and seeks action by the School is within the scope of this procedure. A complaint is likely to arise if a parent believes that the School has done something wrong, failed to do something that it should have done or has acted unfairly.

Concerns and complaints

Many questions and comments from parents are not complaints. They are everyday conversations that are resolved straight away, and they do not need to be recorded under this procedure.

There are two kinds of contact. A question or comment is something resolved in the first conversation; it is not a complaint and does not need to be recorded. A Stage 1 complaint is a matter a parent is unhappy about that needs follow-up action or investigation, or that is not resolved in the first conversation.

Some concerns are dealt with under other policies. A worry that a child is being bullied is handled under our Anti-Bullying Strategy, and any concern about a child's safety or welfare is handled under our Safeguarding and Child Protection Policy. Asking for a meeting about bullying does not by itself make it a complaint. It becomes a complaint only if a parent is unhappy with how the School has handled the matter.

Correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them. There may also be other circumstances in which the School is required to share information relating to a concern or a complaint to comply with its legal or regulatory obligations.

The School is here for your child and you can be assured that your child will not be penalised for a complaint that you or your child raises in good faith.

Roles and Responsibilities

The School's Trustees/Governors has responsibility to ensure that a complaints procedure is drawn up and effectively implemented which deals with the handling of complaints from parents of pupils.

This policy is available to parents of pupils by downloading it from the school website or in printed form from the school office

Data Protection Complaint

In line with section 164A of the Data protection Act 2018 any data protection complaint will be treated with the same procedure and when applicable be reported to the ICO.

The Three-Stage Complaints Procedure

Lyndhurst School follows a three-stage process for complaints as outlined below.

How to make a complaint

A Stage 1 complaint can be raised in person, by phone or by email.

A formal complaint at Stage 2, or a request for a Panel hearing at Stage 3, must be made in writing using the Formal Complaint Form in Appendix 2. This helps the School understand exactly what the complaint is and what outcome the parent is looking for. If a parent needs help to put their complaint in writing, or needs any other adjustment, they should contact the School Office and the School will help.

Use of artificial intelligence (AI)

Parents may use AI tools to help them write a complaint, but the complaint must be their own account of events, and they are responsible for making sure it is accurate. Parents should not put personal information about other children or members of staff into AI tools.

The School will respond to the main concerns and the outcome sought, as set out on the Formal Complaint Form. It will not respond line by line to long, repetitive or AI-generated material, or to legal or policy references that are not relevant to the complaint. Where a complaint is unclear, the School may ask the parent to summarise their main concerns before it proceeds.

Stage 1 – Informal Resolution

- It is hoped that most complaints and concerns will be resolved quickly and informally.
- If parents have a complaint they should normally contact their child's Form teacher. If the Form teacher cannot resolve the matter alone it may be necessary for them to consult the Deputy Head / Headmistress.
- Complaints made directly to the Deputy Head / the Headmistress will usually be referred to the relevant Form teacher unless the Deputy Head / the Headmistress deems it appropriate for them to deal with the matter personally.
- Stage 1 complaints are normally resolved through conversation and are not formally recorded. However, the member of staff will keep a brief record where:
    - the complaint has not been resolved within 10 working days, or is likely to move to Stage 2;
    - the parent has previously made a Stage 2 or Stage 3 complaint;
    - the same issue has been raised before; or

- it involves bullying, SEND or a child's welfare. Any welfare concern must also be reported under the Safeguarding and Child Protection Policy.

The record may be kept on My Concern, on HUBmis or in a separate email folder, and must be made available to the Headmistress on request.

If the matter is not resolved within 10 working days, or the Form teacher and the parent cannot reach a satisfactory resolution, parents will be advised to proceed with their complaint under Stage 2 of this Complaints Procedure.

- If the complaint is against the Headmistress, parents should make their complaint directly to the Chair of Governors whose contact details are available from the School Office on request.

Stage 2 – Formal Resolution

- If the complaint cannot be resolved on an informal basis then the parents should put their complaint in writing, using the Formal Complaint Form (Appendix 2), to the Headmistress. The Headmistress may require further information from the parents to help clarify the scope and nature of their concerns. The Headmistress may in some circumstances deem it appropriate to nominate a staff member to hear the complaint and manage the Stage 2 complaint process. The Headmistress (or their nominee) will decide, after considering the complaint, the appropriate course of action to take.

- In most cases, the Headmistress (or their nominee) will meet/speak to the parents concerned, **within 10 working days** of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage. It may be necessary for further investigations to be carried out. The Headmistress (or their nominee) will determine who should carry out any investigation and this may be someone external to the School.

- **Written records** will be kept of all formal meetings and interviews held in relation to the complaint.

- Once the Headmistress (or their nominee) is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The Headmistress (or their nominee) will also give reasons for their decision. In most cases, the Headmistress (or their nominee) will make their decision and provide the parents with reasons within 28 working days of the complaint being put in writing (or following the provision of any further clarificatory information about the complaint to the Headmistress, if so requested).

- If the complaint is against the Headmistress, the complaint should be made to the Chair of Governors. The Chair of Governors will nominate someone to determine the complaint. The Stage 2 process described above will then be followed as if the references to the Headmistress (or their nominee) is to the individual nominated by the Chair of Governors to determine the complaint against the Headmistress.

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

Stage 3 – Panel Hearing

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they should do so in writing, using the Formal Complaint Form (Appendix 2), to The Chair of Governors, c/o Lyndhurst School within 7 working days of receiving the decision at Stage 2, setting out their grounds of appeal. Any supporting evidence which the parents wish to rely on should also be provided with their grounds of appeal. To the extent the parents are unable to provide their complaint within the time period stipulated due to extenuating circumstances which have impeded the parents from taking action, the parents should request an extension in writing. Such a request should be made to The Chair of Governors in advance of the original deadline, setting out the further time period requested and the reason for this. This will be considered. In the event the parents are unable to provide their complaint within the time period stipulated (including to the extent applicable any extensions if agreed) the School reserves the right to conclude the complaint process and not progress the matter to Stage 3.

- The Chair of 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. The Panel will consist of three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the School. The Chair of Governors will appoint one Panel member to act as Chair of the Panel. The Chair of Governors, on behalf of the Panel, will then acknowledge the complaint within 5 working days and schedule a hearing to take place within 20 working days.

- If the Panel or Chair of Governors to the Panel deems it necessary, they 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 5 working days** prior to the hearing.

- **The parents may attend the hearing and be accompanied to the hearing by one other person if they wish.** The Stage 2 decision-taker shall also be entitled to be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not be appropriate and the companion should not be a lawyer. The identity of the companions should be confirmed to The Chair of Governors as soon as possible and by no later than **2 working days** before the hearing. The Panel will decide whether it would be helpful for witnesses to attend.

- A note-taker will attend the hearing to take a note. This will not be a verbatim note but an accurate reflection of what was discussed. Notes of the hearing will be shared with attendees as soon as practicable after the hearing. To the extent there is any disagreement about the content of those notes or further

comments from the parties, these will be considered by and, where possible, resolved by the Chair. A copy of any comments on the notes will be appended to the notes.

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

- If possible, the Panel will resolve the parents' complaint without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.

- 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; and

    - make recommendations for the School to consider. Stage 3 Panels cannot require that any financial compensation is paid to parents or otherwise obligate the School to take particular steps.

- The Panel will write to the parents informing them of its decision and the reasons for it, **within 5 working days of the hearing** (although additional time may be required if it is necessary to carry out further investigations following the hearing). The decision of the Panel will be final. A copy of the Panel's findings and recommendations (if any) will be sent by electronic mail or otherwise given to the parents, and, where relevant, the person complained about as well as the Chair of Governors and the Stage 2 decision-taker. 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 Headmistress.

Timeframe for Dealing with Complaints

All complaints will be handled seriously, sensitively and within clear and reasonable timescales.

It is in everyone's interest to resolve a complaint as speedily as possible. The School's target is to resolve Stage 1 within 10 working days, and to give a decision at Stage 2 within 28 working days of receiving the written complaint. At Stage 3, the hearing will normally take place within 20 working days of the request for a Panel hearing, and the Panel will give its decision within 5 working days of the hearing.

Please note that, for the purposes of this procedure, **working days** refers to weekdays (Monday to Friday) during term time, excluding bank holidays and half term. 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 School expects parents to engage in the process in a reasonable, constructive and responsive manner to help ensure matters can be dealt with in a timely way and in line with the targets set out in this Procedure.

Persistent correspondence

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.

Recording Complaints and use of personal data

Following resolution of a complaint, the School will keep a written record of all formal complaints, whether they are resolved at the formal stage (Stage 2) or proceed to a Panel hearing (Stage 3), and any action taken by the School as a result of the complaint (regardless of whether the complaint is upheld).

The School processes data in accordance with its Privacy Notice. When dealing with complaints the School (including any Panel member appointed under the Stage 3 process) may process a range of information, which is likely to include the following:

- Date when the issue was raised
- Name of parent
- Name of pupil
- Description of the issue
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name and contact details of member (s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations)
- Notes/minutes of the hearing, and
- The Panel's written decision

This may include 'special category personal data' (as further detailed in the School's *Privacy Notice*, but potentially including, for instance, information relating to physical or mental health) where this is necessary owing to the nature of the complaint. This data will be processed in accordance with the School's *Data Protection Policy*.

The School will keep records of formal complaints and Complaints Panel hearings, as required by regulation. It will do so in accordance with its *Privacy Notice and Data Protection Policy*. All records relating to complaints shall be treated as confidential. In addition to where requested by the Secretary of State or an inspector (see above), there may be other circumstances where disclosure of the substance of a complaint or particular confidential records relating to it is required, for example, where there is a legal, regulatory, safeguarding or data protection obligation (eg, in response to a subject access request) which prevails over the requirement to maintain the records as confidential.

EYFS pupils

Parents of EYFS pupils 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, then parents may take their complaint to ISI. The School will notify the parents about the outcome of the investigation into their complaint within 28 days from the date the complaint was received.

Lyndhurst School will provide ISI, 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 any such complaints will be kept for at least three years, in accordance with its Privacy Notice.

Parents may complain directly to ISI if they believe the School is not meeting the EYFS requirements. ISI's contact details are:

ISI can be contacted on 020 7600 0100 or by email: info@isi.net

ISI, CAP House, 9-12 Long Lane, London EC1A 9HA

Appendix 1: Complaint Record (for staff use)	
Date concern first raised	Stage: ☐ 1 ☐ 2 ☐ 3
Pupil name and year group	
Parent's name (person raising the concern)	
How raised (in person / phone / email / letter)	
Formal written complaint received	Date:
Member of staff contacted:	Date:
Notes:	
Proposed solutions(s) by complainant	
Next contact / action	Date:
Notes:	
Face to face meeting	Date:
Notes:	
Further review date if applicable	Date:
Resolution agreed	Date:
Notes:	
Signed by parent(s) / carer	Signed by Headmistress
Print name:	Print name:
Signature:	Signature:
Date:	Date:

Appendix 2: Formal Complaint Form (for parents)	
Please use this form for a formal complaint at Stage 2 (send it to the Headmistress at the School Office) or to request a Panel hearing at Stage 3 (send it to the Chair of Governors, c/o Lyndhurst School). If you need help completing this form, please contact the School Office.	
Stage (please tick)	☐ Stage 2 – formal complaint ☐ Stage 3 – request for a Panel hearing
Parent/carer name(s)	
Child's name and year group	
Phone number and email address	
Who have you already spoken to about this, and when?	
Your complaint: please set out the main points	
What outcome are you looking for?	
Stage 3 only: why are you unhappy with the Stage 2 decision?	
Signature	
Date	

Appendix 3: Summary of the Three-Stage Process

Complaint Stage	Initial contact made to:	Timescale for acknowledgment of initial contact	Likely action to be taken to resolve the complaint	Timescale for resolution of complaint	Recording
Stage 1 Informal Resolution	Child's form teacher or other staff member, if appropriate	3 working days	Dialogue & agreed action/s.	Within 10 working days	Not formally recorded unless one of the conditions in Stage 1, point 4 applies. A brief record is then kept on My Concern, HUBmis or a separate email folder.
Stage 2 Formal Resolution	Formal written complaint to the Headmistress	3 working days	Initial meeting, investigation and further meetings if required. Complainants will be informed of Headmistress's final decision in writing.	Within 28 working days	Written records of all meetings, interviews and decisions made in relation to the complaint will be kept in the 'Formal Complaints' file held by the Headmistress.
Stage 3 Hearing	Formal written complaint to The Chair of Governors, c/o Lyndhurst School.	5 working days	Hearing by a Complaints Panel. The panel will reach a decision and may make recommendations. The panel will write to the complainant(s) informing them of its decision and the reasons for it.	• Hearing will normally take place within 20 working days. • Decision/recommendations made within 5 working days of the hearing. • Complainants informed of the panel's decision within 30 working days of receiving the request for a Panel hearing.	Written records of all meetings and interviews held in relation to the complaint will be kept in the 'Formal Complaints' file held by the Headmistress.