Complaints Policy and Procedure

Introduction

Bedford Modern School (BMS) prides itself on the quality of its teaching and the pastoral care it provides to its students. However, if parents/guardians do have a complaint, it will be dealt with by the School in accordance with this Policy. This Policy is made available on the BMS website for anyone to view. It can be made available in hard copy on request.

Policy Aim. 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/guardians and students confidence in our ability to safeguard and promote welfare.

The School 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.

The School needs to know as soon as possible if there is any cause for dissatisfaction.

The School recognises 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/guardians and students should never feel (or be made to feel) that a complaint will be taken amiss or will adversely affect a student or their opportunities at BMS.

Policy Status. This Policy has been approved by the Governing Body of the School and provides guidelines for handling complaints. It takes account of paragraph 33 of schedule I of the Education (Independent School Standards) Regulations 2014 (SI 2014/3283). The policy applies to all sections of the School. The procedures set out below may be adapted as appropriate to meet the policy aims and circumstances of each case. Certain parts of the procedures can only be carried out during term time.

Scope and Application.

The procedure described below is available to the parents/guardians of current Bedford Modern School students only – it does not extend to the parents of prospective students. Further, the policy is applicable only in relation to complaints raised during a student's time in the school – complaints raised by parents after their child has left the school are not within the scope of this policy. Separate procedures apply in the event of a child protection issue or if the Head expels or asks a student to leave and the parents/guardians seek a Governor review of the decision.

The School aims to resolve all complaints efficiently and promptly and parents are encouraged to bring any matter causing concern to the School's attention as soon as possible. Whenever possible, a complaint should 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. The School will however consider complaints made within up to 12 months if exceptional circumstances apply. A complaint raised after three months should therefore include details of the issues which led to the delay; an unexplained delay in raising a complaint or issue may cause the complaint to be deemed unreasonable.

Parent. The term 'parent' includes a parent of a current student or legal guardian or education guardian and may at our discretion include a parent whose child has recently left the School.

Management of complaints. The Head has appointed the Senior Deputy Head as the Complaints Coordinator, responsible for the co-ordination and administration of the Complaints Procedure. If the Complaints Coordinator is unavailable or is the subject of the complaint, their duties will be carried out by another senior member of staff. The main responsibilities of the Complaints Coordinator are to:

- be the first point of contact while the matter remains unresolved and keep records;
- co-ordinate the complaints procedures in school;
- arrange assistance for parents/guardians who require this, for example, because of a disability;
- maintain an on-going training programme for all School employees in relation to complaints;
- monitor the keeping, confidentiality and storage of records in relation to complaints;
- report regularly to the Head with respect to complaints.

Timescales. The term "working days" refers to Monday to Friday during term time. During holidays, the school will aim to respond to parents within the stipulated timescales, although this is subject to the availability of members of staff.

The Procedure

1. Stage 1 - Informal Resolution

1.1 It is hoped that most complaints will be resolved quickly and informally. Examples might include 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 School's systems or equipment, or a billing error. Complaints of discrimination, harassment or victimisation are taken very seriously and may need to be dealt with at Stage 2 without action at Stage 1. The School will acknowledge a written notification by email, letter or telephone within two working days of receipt during term time and as soon as practicable during holidays.

1.2 If parents/guardians have a complaint concerning education matters, they should normally contact their son's/daughter's subject teacher or tutor as appropriate. In many cases, the matter will be resolved quickly by this means to the parents'/guardians' satisfaction. If the teacher or tutor cannot resolve the matter alone, it may be necessary for the teacher/tutor to consult the Head of Subject or Deputy Head (Academic), as appropriate, who will then deal with the matter.

1.3 If the complaint concerns a pastoral matter, parents/guardians should normally contact the appropriate form teacher/Head of Year/Deputy Head (Pastoral).

1.4 A problem over any disciplinary action taken or a sanction imposed should be raised first of all with the member of staff who imposed it and, if not resolved, with the Head of Year/Deputy Head (Pastoral)/Senior Deputy Head.

1.5 A query relating to financial matters (fees etc.) should be stated in writing to the Director of Operations.

1.6 Complaints made directly to a Head of Department may be referred to the relevant teacher or tutor unless it is felt appropriate for him/her to deal with the matter personally.

1.7 On occasion, complaints may be dealt with by members of the Senior Leadership Team but still be resolved informally and successfully. Where this occurs, parents will be informed that their concern has been dealt with under Stage 1 of the policy.

1.8 Should the matter not be resolved within fifteen working days then parents/guardians may proceed with their complaint in accordance with Stage 2 of this Policy.

Every complaint notified to a member of staff that has not been resolved informally will be noted, together with the action taken, on a standard form.

2. Stage 2 - Formal Resolution

2.1 If the complaint cannot be resolved on an informal basis as described in Stage 1, or if it has not been resolved within fifteen working days, then the parents/guardians should put their complaint in writing to the Head. The Head will decide, after considering the complaint, the appropriate course of action to take. If parents/guardians require assistance with their request, for example, because of a disability, the School will be happy to make appropriate arrangements.

2.2 The Head will meet with or speak to the parents/guardians concerned, within five working days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.

2.3 It may be necessary for the Head to carry out further investigations or to ask a senior member of staff to act as Investigator. The Investigator may ask for additional information from parents/guardians/students and may wish to speak to them personally and to others who may have knowledge of the circumstances including, if appropriate, students.

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

2.5 Once the Head is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents/guardians will be informed of this decision in writing. The Head will also give reasons for this decision. The Head's aim will be to inform any complainant of the outcome of an investigation and the resolution of the complaint within twenty-eight working days from the first receipt of the complaint.

2.6 If parents/guardians are dissatisfied with the Head's decision under Stage 2, they may proceed to Stage 3 of this Policy.

2.7 Complaints about the Head will always be dealt with under the Stage 2 - Formal Resolution process. Parents/guardians who wish to make a complaint about the Head should put their complaint in writing to the Chair of Governors. The Chair will decide, after considering the complaint, the appropriate course of action to take and aim to inform any complainant of the outcome of an investigation and the resolution of the complaint within twenty-eight working days from the first receipt of the complaint.

3. Stage 3 - Reference to the Complaints Panel

3.1 **Introduction and Scope of the Hearing.** A Complaints Panel (the Panel) hearing is a review of the actions taken by the Head at Stage 2 of this Procedure. The Panel will not consider any new areas of complaint, which have not been previously raised as part of the complaints procedure. The Panel will not seek to substitute its own judgment for that of the Head where the Head's decision falls within the bounds of what a reasonable Head, acting proportionately, might have decided given all the facts.

3.2 **Notification**. If parents/guardians seek to invoke Stage 3 (following a failure to reach an earlier resolution), they should write to the Chair of the Governors, within five working days of receipt of the Head's decision at Stage 2, requesting a Panel hearing. Parents/guardians 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/guardians should also include a list of the documents which they believe to be in the School's possession and

wish the Panel to see. If parents/guardians require assistance with their request, for example, because of a disability, the School will be happy to make appropriate arrangements. The parents'/guardians' letter will normally be acknowledged by telephone, email or letter within five working days, indicating the action that is being taken and the likely time scale.

3.3 **Convening the Panel.** The Chair of Governors will then convene a Complaints Panel to consider the complaint. Please note, a Panel will only be convened if Stage 2 above has been completed. The Panel will consist of at least three members who have not been directly involved in the matters detailed in the complaint. The Panel shall be comprised of School Governor members (one of whom will be the Chair of the Panel) and one Panel member who will be independent of the governance and management of the School. The School has identified persons of standing within the local community, one of whom will sit as the independent member on the Complaints Panel for any given complaint. The Panel hearing will continue unless the complaint is formally withdrawn in writing.

3.4 **Notice of hearing.** Every effort will be made to enable the Panel hearing to take place within fifteen working days of the receipt of the request. As soon as reasonably practical, and in any event at least five working days before the hearing, parents/guardians will be sent written notification of the date, time and place of the hearing, together with brief details of the Panel members who will be present.

3.5 **Attendance.** Parents/guardians will be invited to attend the hearing and may be accompanied by one other person such as a relative, teacher, or friend. Legal representation is not necessary or normally appropriate but if parents/guardians do wish to be accompanied by a legally qualified person, acting in their professional capacity, the School should be notified at least five working days before the hearing. If the complainant(s) opt to bring a legal adviser to the Stage 3 hearing, the legal adviser is not entitled to "cross-examine" any school staff or other witnesses – only the complainant and witnesses are entitled to address the panel. In exceptional circumstances and only if agreed by all parties, the child who is the subject of the hearing aged 13 and above, may be allowed to attend part or all of the hearing if the Chair of the Panel considers it would be in the interests of fairness to do so. Copies of additional documents that parents/guardians wish the Panel to consider should be sent to the Panel Chair at least three clear working days prior to the hearing. If parents/guardians choose not to attend, the Panel will hear their complaint and reach a finding and conclude the matter in their absence.

3.6 **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 the parents/guardians, the Head or other members of staff.

3.7 **Powers of the Panel.** It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, students, or parents/guardians. The Panel may make findings and recommendations on these or any other issues to the Head or to the full body of School Governors as appropriate.

3.8 **Hearing.** All statements made at the hearing will be unsworn and all present will be entitled to make their own notes. The Panel Chair will arrange for a person to take handwritten minutes of the proceedings.

3.9 **Evidence.** The Chair will conduct the hearing in such a way as to ensure that all present have the opportunity of asking questions and making comments in an appropriate manner. The hearing is not a legal proceeding and the Panel is under no obligation to hear witnesses but may do so if it wishes.

3.10 **Conduct.** All those attending the hearing are expected to show courtesy, restraint and good manners or, after due warning, the Chair may terminate or adjourn the hearing. If terminated, the original decision will stand. Any person who is dissatisfied with the conduct of the hearing must say so before the hearing proceeds further and his /her comment will be recorded.

3.11 **Adjournment**. If possible, the Panel will resolve the parents'/guardians' complaint immediately without the need for further investigation. However, the Chair may adjourn the hearing at his/her discretion for further investigation of any relevant issue including taking legal advice.

3.12 **Decision**. After due consideration of the matters discussed at the hearing, the Panel shall reach a decision unless there is an agreed position. If, after establishing the facts, the Panel members consider that the complaint is made out, they will uphold the complaint. If they consider that the complaint is not made out, they will dismiss the complaint. They will make these decisions on the balance of probabilities. The Panel's decision, findings and any recommendations may be notified orally at the hearing or subsequently and shall be confirmed in writing to complainants by email where appropriate within ten working days. If complainants do not wish to receive the decision by email, a copy will be given or posted to them. The decisions, findings and any recommendations will be made available for inspection on the School premises by the Governing Body and the Head. Reasons for the decision will be given. The decision may include recommendations and will be sent to the complainant, the Chair of Governors, the Head and, where relevant, any person about whom the complaint has been made.

3.13 **Private proceeding.** Any hearing before the Complaints 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.

4. Records and Confidentiality

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 to the extent required by paragraph 33(k) of Schedule 1 to the Education (Independent School Standards) Regulations (SI 2014/3283), that is where access is requested by the Secretary of State or where disclosure is required in the course of an inspection conducted by a body under Section 109 of the Education and Skills Act 2008, or under other legal authority. In accordance with guidance from the Department for education, all complaints that do not have a safeguarding implication will be retained for a minimum of seven years. For those complaints pertaining to a member of staff which have safeguarding implications, based upon the statutory guidance issued in Keeping Children Safe in Education (KCSIE), records will be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer".

The number of stage 2 and stage 3 complaints is reported to the Governing Body annually and is available to parents on request.

5. Unreasonable complaints

We are committed to dealing with all complaints fairly and impartially. We will not normally limit the contact complainants have with us. However, staff should not be expected to tolerate unacceptable behaviour; the school will take action to protect staff from that behaviour which it deems abusive, offensive or threatening.

Unreasonable complaints are taken seriously by the School as they put a strain on valuable resources and hinder the progress of proper investigations. We adopt the Department for Education definition of unreasonable complainants as those who, because of the frequency or nature of their contacts with the School, hinder our consideration of their or other people's complaints.

The School may judge that a complaint is unreasonable where the complainant refuses to co-operate with the complaints investigation process and/or makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint whilst the complaint is being addressed.

The school may also judge a complaint to be unreasonable if the person making the complaint does so in a way which is considered: malicious; aggressive; uses threats, intimidation or violence; uses abusive, offensive or discriminatory language; where the complainant knows it to be false; uses falsified information; publishes information in a variety of media such as in social media websites and newspapers that the school deems unacceptable.

In the event that a complaint is deemed unreasonable, it will remain open to a complainant to request that a complaints panel be convened to determine the single issue of whether the School's dismissal of the complainant's original complaint(s) was justified.

Mr J Fordham
Chair of Governors

October 2026
Review Date May 2027