

COMPLAINTS POLICY (INCLUDING EYFS)

	Date	Signed
Date reviewed	11 September 2026	Joey Haigh (Head of Operations)
Ratified by the Principal and Proprietor	11 September 2026	Emma Gowers
Date of next review	July 2027	

1. **Introduction**

At The Gower School, we are committed to meeting the needs of our pupils. The School recognises that, from time to time, misunderstandings, concerns or complaints may arise. This policy sets out a clear and transparent process for ensuring that complaints are considered promptly, fairly and proportionately.

This policy has been approved by the Proprietor of the School and is available on the School's website or on request from the School Office. It can be made available in large print or another more accessible format, if required. If assistance is needed with making a complaint, for example because of a disability, a parent should contact the Head of Operations, who will be happy to make appropriate arrangements.

All School staff are made aware of this policy and are expected to understand the complaints procedure so that they can respond appropriately when concerns are raised.

2. **Regulatory framework**

This policy has been prepared to meet the School's responsibilities under:

- Education (Independent School Standards) Regulations 2014
- EYFS statutory framework for group and school-based providers, September 2025
- Education and Skills Act 2008
- The Data Protection Act 2018 (DPA 2018), UK General Data Protection Regulation (UK GDPR) and Data (Use and Access) Act 2025
- Equality Act 2010
- Childcare Act 2006
- Children Act 1989

3. **Scope and application**

This policy applies to the whole School, including the Early Years Foundation Stage (EYFS).

This policy applies to complaints from parents of current pupils and, where the complaint was first raised while the pupil was on roll, from parents of former pupils. For the purposes of this policy, a 'parent' shall include a guardian, carer or any other person with parental responsibility for a child at the School.

Separate procedures apply where the Principal expels or requires a pupil to leave and a parent seeks a Proprietors' (or an independent person nominated by them) review of that decision. A copy of those procedures is available on request.

The School will not normally investigate anonymous complaints.

Where a complaint raises issues relating to data protection compliance, the School will exercise reasonable judgement in determining whether the complaint is more appropriately dealt with under this policy or under the School's separate data protection complaints procedure. In doing so, the School will consider the substance of the complaint as a whole, including whether the data protection element forms part of a broader concern.

The complaints procedure may consider the substance of a complaint, but it does not provide a route for determining legal claims or awarding compensation, damages or fee refunds.

Although the School will manage complaints as openly and transparently as possible, there may be circumstances in which it cannot share full details of how a complaint has been handled, the evidence considered, the steps taken in response or other related matters. This may be the case even where a complaint is upheld, for example because the information concerns a third party, is subject to legal or regulatory restrictions, or cannot be disclosed in accordance with instructions from a statutory agency. These examples are not exhaustive.

During the 2025/2026 academic year, the School received no formal complaints.

4. Guiding principles and timescales

The School's guiding principles in complaint resolution are:

- to give careful and prompt consideration to all complaints
- to seek to achieve a just and fair outcome, taking due account of all relevant evidence
- to attempt to resolve complaints through dialogue and mutual understanding, and at the earliest possible stage

This policy outlines three stages of complaint:

- Stage 1: Informal Resolution
- Stage 2: Formal Resolution
- Stage 3: Panel Hearing

The School aims to resolve complaints promptly and encourages parents to raise concerns as soon as possible. Wherever practicable, complaints should be submitted within three months of the incident concerned or, where there is a series of related incidents, within three months of the most recent incident. Complaints received after this period may still be considered; however, as time passes, it may become more difficult for the School to investigate the matter fully and fairly. Parents submitting a complaint after three months should explain the reasons for the delay.

Where timescales are given in ‘working days’, this is defined as Monday to Friday during term time (the dates of which are available on our website). Complaints received during holiday periods will be dealt with as soon as is practicable but are likely to take longer to resolve due to the unavailability of relevant staff. Where an extension to the published timescales is necessary, including where exceptional circumstances arise or another body is investigating aspects of the complaint, the School will inform the complainant of the revised timescales and the reasons for the delay as soon as possible.

5. **Stage 1: Informal Resolution**

It is hoped that most complaints and concerns can be resolved quickly and informally. A parent with a concern or complaint may speak directly to a member of staff, telephone the School or write with details of the matter. In the first instance, it is usually best to address a concern to the class teacher, as they are often best placed to resolve the matter quickly. The parent may also refer a matter to a member or the SLT, either directly or after an initial discussion with the class teacher.

We will acknowledge a written notification of a concern by telephone, email or by letter within two working days of receipt. Depending on the nature of the complaint, the appropriate member of staff will arrange to speak with the complainant or invite them to a meeting within five working days of acknowledgement. This meeting may prompt further investigation or wider consultation but, in any event, this stage of the complaints process should be completed **within 10 working days** of the complaint being acknowledged.

A complaint which has not been resolved by informal means to the parent's satisfaction within 10 working days should be notified to the School in writing as a formal complaint which will be dealt with in accordance with Stage 2 below.

6. **Stage 2: Formal Resolution**

If a complaint has not been resolved informally, the parent should submit a formal complaint to the Principal. This must be done in writing, preferably using the attached pro forma (Appendix 1), stating explicitly that they wish to invoke the formal complaints procedure. The complaint should include the complainant's name and full contact details, the nature of the complaint and the person to whom it was previously raised, copies of any relevant documents, and the outcome sought.

Formal complaints will be acknowledged in writing by the Principal within three days of being received. In most cases, the Principal will meet or speak to the parent concerned to discuss the matter. If possible, a resolution will be reached at this stage. Where further investigation is required, the Principal or a senior member of staff will gather relevant information. If the investigation is delegated, the investigator will prepare a report for the Principal. Once the relevant facts have been established, the Principal will provide a written decision, including any action the School proposes to take to resolve the complaint, no later than **15 working days** after the formal complaint was acknowledged.

Written records of all meetings and interviews held in relation to the complaint will be kept. The complainant will be informed if due to exceptional circumstances any additional time is necessary to complete the investigation.

If the parent is still not satisfied with the decision, they should proceed to Stage 3 of the complaints procedure.

Alternative procedure for handling formal complaints about the Principal

A parent wishing to make a complaint about the Principal should do so in writing to a member of the Senior Leadership Team (Rebecca Falloon, Joey Haigh, Jacqui Chitoy or Tajana Baldwin). The recipient will consider whether the complaint falls within their remit to resolve or whether referral to a Stage 3 Independent Panel Hearing would be a more appropriate route to resolution. The complaint should contain the same information required for other Stage 2 complaints. The person handling the complaint will acknowledge receipt in writing within two working days, setting out the next steps and the anticipated timescale for the process. The procedures and timescales that apply to all other formal complaints (as set out above) will then be followed.

If the parent is dissatisfied with the response to the complaint, the parent can request that the complaint be referred to a Complaints Panel under Stage 3 of this procedure.

7. Stage 3: Independent Panel Hearing

If the parent wishes to proceed to Stage 3 (following a failure to reach a resolution earlier in the complaints process) they should write to Joey Haigh (the Convenor), who is responsible for making the arrangements for a Panel Hearing, at the School address. In the written request for a Panel Hearing, the parent should state the grounds of the complaint and the outcome desired. The Panel will not consider new complaints at this stage but may consider further evidence where it is relevant to the complaint already raised. The parent should also send a list of all the documents that they believe to be in the School's possession that they consider relevant in the matter and that they wish the Panel to see. Copies of all such documents shall be supplied to all parties not later than five working days before the hearing.

The Convenor will acknowledge receipt of the complaint within five working days and will schedule a meeting of the Panel **within 15 working days** thereafter. The School will take all reasonable steps when making the arrangements for the hearing to facilitate the parent exercising their right to attend. If, having indicated they wish to proceed to Stage 3 of this complaints procedure, the parent decides not to attend the hearing, the hearing will take place in their absence. Under these circumstances, the Panel will make findings on the substance of the complaint on the basis of the evidence available.

The Panel appointed by the Proprietor will consist of a minimum of three people who have not been directly involved in the matters complained about, at least one of whom shall be independent of the management and running of the School and not a member of the Senior Leadership Team. The role of the Panel is not only to establish that the correct process has been followed but also to establish the merits or otherwise of the complaint(s) by considering:

- the documents provided by both parties; and
- any representations made by the parent and the Principal.

After considering the evidence, the Panel will decide, on the balance of probabilities, whether each complaint is upheld in whole or in part. The Panel has no power to make a financial award or to impose sanctions on staff, pupils or parents, although it may make recommendations where appropriate.

The complainant may be accompanied by a friend or relative, but legal representation is not usually appropriate. If the complainant wishes to be accompanied by a legally qualified person, acting in their professional capacity, the School must be notified at least seven working days before the hearing. Parents should note that the Panel will wish to speak to them directly and that the accompanying

person will not be permitted to act as an advocate or to address the hearing unless invited to do so by the Panel Chair.

The Panel will appoint one of its members to chair the hearing which will be conducted in an informal manner. The Panel Chair will conduct the hearing in such a way as to ensure that the parties have the opportunity of asking questions and making comments in an appropriate manner. The Panel is under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account. All present will be entitled, should they so wish, to write their own notes for reference purposes. The Panel Chair may direct that the hearing is recorded to assist accurate recollection for purposes of the decision. The Panel will be under no obligation to retain recordings thereafter. A written minute of the hearing will be taken in any event.

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

When the Panel Chair considers that all issues have been sufficiently discussed, they will conclude the hearing. After due consideration of the matters discussed at the hearing, the Panel will reach a decision. The Panel's decision, the reasons for it and any recommendations shall be confirmed in writing to the parent and, where relevant, to the person complained about **within five working days** of the hearing. The Panel's decision, findings and any recommendations will be available for inspection on the School premises by Principal/Proprietor.

The decision of the Panel is final. There will be no further opportunity within the School for consideration of the complaint. The completion of Stage 3 represents the conclusion of the complaints procedure.

8. **Data protection complaints**

The Gower School acknowledges its obligations under section 164A of the Data Protection Act 2018 in relation to data protection complaints. Where a complaint made under this policy includes data protection issues, those aspects will be handled in accordance with the School's data protection obligations and, where appropriate, its separate data protection complaints procedure. Where the complaint relates to a pupil's personal data, the School will consider whether the pupil has sufficient maturity to exercise their own data protection rights and whether the parent is authorised to act on the pupil's behalf or receive information relating to the complaint.

The School operates a separate data protection complaints procedure for complaints which are solely or primarily concerned with data protection matters. The School will determine on a case-by-case basis whether a complaint is best dealt with under this policy or under that separate procedure, taking into account the substance of the complaint as a whole.

Data protection complaints will be acknowledged **within 30 days** of receipt. The School will take appropriate steps to investigate and respond promptly, keep the complainant informed of progress where appropriate, and communicate the outcome without undue delay. If the complainant remains dissatisfied with School's response, they will be advised of their right to escalate the matter to the Information Commissioner's Office (ICO).

9. **Record keeping and confidentiality**

A written record will be kept by the Principal of all formal complaints, including any action(s) taken by the School as a result of the complaint (regardless of whether it is upheld), and of whether they are resolved at Stage 2 or progressed to a panel hearing.

The School processes personal 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 relevant information, including details of the complainant and pupil, correspondence, investigation records, witness statements, notes of meetings or hearings, and the outcome of the complaint. This may include 'special category personal data', such as information relating to an individual's physical or mental health. All personal data will be processed and retained in accordance with the School's data protection obligations and relevant policies.

Parents can be assured that all concerns and complaints will be treated seriously. Correspondence, statements and records will be kept confidential except where disclosure is required under paragraph 33(k) of Schedule 1 to the Education (Independent School Standards) Regulations 2014; namely, where the Secretary of State or a body conducting an inspection under section 108 or 109 of the Education and Skills Act 2008 requests access to them, or where any other legal obligations prevail. Records of individual complaints will be retained for at least seven years unless they relate to allegations of abuse in which case they will be preserved for the term of the Independent Inquiry into Child Sexual Abuse and at least until the accused has reached normal pension age or for 10 years from the date of the allegation if this is longer.

10. **Complaints about the fulfilment of EYFS requirements**

Additional regulatory requirements apply to written complaints relating to the School's fulfilment of EYFS requirements. Specifically, the complainant will be notified of the outcome of any investigation by the School into their complaint **within 28 days**. The School's record of complaints will be made available to Ofsted and ISI on request. In the event of dissatisfaction with the above actions, the complainant may refer the matter to the Office for Standards in Education (Ofsted) or to the Independent Schools Inspectorate (ISI). The contact details for these organisations are as follows:

Ofsted
Piccadilly Gate
Store Street
Manchester
M1 2WD
www.ofsted.gov.uk
enquiries@ofsted.gov.uk
0300 123 1231

Independent Schools Inspectorate
CAP House
9-12 Long Lane
London
EC1A 9HA
www.isi.net
concerns@isi.net
0207 600 100

11. **Vexatious or unreasonable complaints**

The Gower School will do its utmost to be helpful to parents who make contact with a concern, complaint or request for information. However, there may be occasions when, despite all stages of the complaints procedure having been followed, the complainant remains dissatisfied. If a complainant attempts to re-open the same issue, the School will inform them that the procedure has been completed and that the matter is now closed. If the complainant contacts the School again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent' and the School may choose not

to respond. However, this will not occur until the complainant has completed the three stages of the complaints procedure.

The School adopts the Department for Education's definition of unreasonable behaviour and may regard a complaint as unreasonable where the conduct of a complainant hinders the fair and efficient consideration of the complaint. This may include refusing to engage with the process, repeatedly raising the same issues, seeking unrealistic outcomes, making excessive or aggressive demands on staff time, using abusive, threatening or discriminatory language, providing false information, or using social media or public forums inappropriately. The School will consider all the circumstances, including the substance and history of the complaint, proportionality and any evidence of improper purpose, before reaching a decision. Wherever possible, concerns will first be discussed informally with the complainant. Where unreasonable behaviour continues, the School may issue a warning, place reasonable limits on communication, pause the complaints process until the behaviour ceases or, in serious cases involving aggression or violence, involve the police and restrict access to the School.

Any designation of a complaint as vexatious or unreasonable will apply to the complaint or conduct in question, not to the complainant personally.

12. Monitoring and review of complaints policy and procedures

The Proprietor will monitor the number and type of complaints received and the operation of the procedures set out in this policy. They will also review the policy at least annually to ensure it meets statutory requirements and continues to reflect best practice.

13. Linked policies

- Data Protection Complaints Procedure
- Privacy Notice

Appendix 1: Formal Complaint Form

Please read the School's **Complaints Policy** before completing this form. It explains when this form should be used and how the formal complaints procedure operates.

This form should be completed by a person who has **parental responsibility** for the pupil and returned to the Principal at the School address.

Please use BLOCK CAPITALS.

Your name(s)	
Name of pupil and your relationship to them	
Contact address	
Daytime telephone number	
Mobile telephone number	
Email address	
Details of the complaint <i>If there is more than one ground of complaint, please number each ground so that it can be considered separately.</i>	
Action taken to date, including the staff member(s) who have dealt with the matter and any solutions offered	

