SUTTON VALENCE SCHOOL
SINCE 1576

SVS Complaints Procedure

(Prep School and Senior School)

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Policy Date: September 2025
Approval Date by Governors: November 2025
Review Date: September 2026

This Policy applies to Sutton Valence School (including, as the context requires, the Nursery, Prep School and Senior School).

Introduction

Sutton Valence 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.

The 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 the 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, the School will make available, on request, to Ofsted, 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.

Who can make a complaint?

Parental complaints procedure

This Complaints Procedure applies to parents at the School. "Parent(s)" means the holder(s) of parental responsibility for a current pupil about whom the complaint relates.

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. It may also be used by pupils who are current boarders to raise their own complaints about boarding provision. Please see the section on Boarders and Welfare towards the end of this 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 only exception to this is if the complaint is a review of a decision taken by the Headmaster to exclude or require the removal of a pupil under clause 7.6 of the School's Parent Contract, in which case such a review must be requested by no later than 10 working days from the date of the decision to exclude or require the removal of a pupil and any such review will be addressed at Stage 3 of the Complaints Procedure.

Pupil complaints procedure

This Complaints Procedure is only available to pupils who are current boarders who wish to raise their own complaints about boarding provision. For all other pupil complaints, they are advised to approach an appropriate member of the Senior Management Teams.

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.

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 in order 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 raise in good faith.

The Three-Stage Complaints Procedure

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 Class Teacher/Tutor/Housemaster/Housemistress. In many cases, the matter will be resolved quickly by this means to the parents' satisfaction. If the Class Teacher/Tutor Housemaster/Housemistress cannot resolve the matter alone it may be necessary for them to consult an appropriate member of the Senior Management Teams, Heads of School or Headmaster.

Complaints made directly to a member of the Senior Management Teams, Heads of School or Headmaster will usually be referred to the Class Teacher/Tutor Housemaster/Housemistress unless the recipient of the complaint deems it appropriate for them to deal with the matter personally.

The Class Teacher/Tutor Housemaster/Housemistress will make a written record of all concerns and complaints and the date on which they were received.

Should the matter not be resolved within 10 working days or in the event that the Class Teacher/Tutor Housemaster/Housemistress and the parents fail to reach a satisfactory resolution, then parents will be advised to proceed with their complaint in accordance with Stage 2 of this Complaints Procedure, which they should do within the next 10 working days.

If the complaint is against a Head of School they should approach the Headmaster directly. If it is against the Headmaster, 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 to the Headmaster. The Headmaster may in some circumstances deem it appropriate to nominate a staff member, such as a Head of School, to hear the complaint and manage the Stage 2 complaint process. The Headmaster (or their nominee) will decide, after considering the complaint, the appropriate course of action to take.

In most cases, the Headmaster (or their nominee) will meet or 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 Headmaster (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 meetings and interviews held in relation to the complaint.

Once the Headmaster (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 Headmaster (or their nominee) will also give reasons for their decision. In most cases, the Headmaster will make their decision and provide the parents with reasons within 20 working days of the complaint being put in writing.

If the complaint is against the Headmaster, 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 Headmaster (or their nominee) is to the individual nominated by the Chair of Governors to determine the complaint against the Headmaster.

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 to the Clerk to the Governors (Director of Governance and Operations at the Foundation) within 10 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 Clerk to the Governors (Director of Governance and Operations at the Foundation) 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 Clerk to the Governors (Director of Governance and Operations at the Foundation) who has been appointed by the Governors to call hearings of the Complaints Panel, will then refer the appeal to a 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 Clerk to the Governors (Director of Governance and Operations at the Foundation) will appoint one Panel member to act as Chair of the Panel or The Complaints Panel will appoint one of the Panel members to act as the Chair of the Panel. The Clerk to the Governors (Director of Governance and Operations at the Foundation), 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 deems it necessary, it 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 Panel will decide whether it would be helpful for witnesses to attend.

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.

The Panel will write to the parents informing them of its decision and the reasons for it, within 10 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 Headmaster.

Any complaint about a decision taken by the Headmaster to exclude or require the removal of the pupil under clause 7.6 of the School's Parent Contract will be governed by this Stage 3 of the School's Complaints Procedure. In such circumstances, the Panel may only uphold the complaint and ask the Headmaster to reconsider their decision if they consider, having regard to the process followed by the Headmaster, that the Headmaster's decision to exclude / require the removal of the pupil was not a reasonable decision for the Headmaster to have taken. The Panel shall endeavour to complete this process as quickly as reasonably practicable, as the School recognises that the risk of lost schooling means that time will be of the essence.

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 complete the first two stages of the procedure and to complete Stage 3, the Appeal Panel Hearing, within the timeframes detailed earlier in the policy.

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.

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 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).

Records of informal complaints are recorded at a house level. A record of complaints that are resolved at the Stage 1 informal stage is regularly reviewed by the Headmaster or a senior member of staff. The complaints record is also a standing item at the first Senior Management Team meeting at the start of each term.

The School processes data in accordance with its Privacy Notice as detailed on the School website. 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 and Data Protection Impact Assessment Policy and Procedure, 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 Impact Assessment Policy and Procedure.

The School will keep records of formal complaints and Stage 3 Panel hearings, as required by regulation. It will do so in accordance with its Privacy Notice, Data Protection Impact Assessment Policy

and Procedure, and Document Retention 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.

Boarders and Welfare

Boarders and their parents who have a complaint about their welfare, which they feel has not been answered by the School's normal procedures, can inform an inspector when they visit the School or contact the ISI on 0207 6000100. You may also contact the Children's Rights Director about your concerns, via their website - www.rights4me.org. Boarders and parents can contact the National Care Standards Commission regarding any complaint concerning a boarder's welfare.

Referral can be made to the Designated Officer (LADO) Service - for managing allegations against staff - LADO on duty 03000 410888 or email kentchildrenslado@kent.gov.uk.

The Principal Officer (Safeguarding) is Claire Ray (03000 415788).

The Independent Listener is Mr Nick Gray, who is contactable on 07775 762701 or by email at nick-gray@hotmail.co.uk.