Falkner House Concerns and Complaints Policy and Procedure

Including the number of formal complaints in the last academic year (NURSERY – Y6 including the EYFS) DfE standard 7. This policy is available on the website and on request.

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

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Introduction

Falkner House has always prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents of pupils do have a concern or complaint they can expect it to be treated by the School in accordance with this Procedure. For the purposes of this policy, any matter about which a parent of a pupil is unhappy or concerned and seeks action is deemed to be a 'complaint'. The complaints procedure is not, however, a mechanism for determining legal claims or awarding compensation, damages or fee refunds. For the purpose of this policy the term "parent" includes a person who has parental responsibility for a pupil and / or a person who has care of a pupil. The complaints policy applies to past pupils if the complaint was initially raised when the pupil was registered. The School will not normally investigate anonymous complaints.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except that they would be made available to the Secretary of State or where disclosure is required in the course of an inspection conducted under s.109 of the Education and Skills Act 2008 or where any other legal obligation requires disclosure.

Guiding principles and time scales

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 as early a stage as possible

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 time scales 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 time scales and the reasons for the delay as soon as possible.

Stage 1 - Informal Resolution

- It is hoped that most complaints will be resolved quickly and informally.
- If parents have a complaint they should normally contact their pupil's Form Teacher. In many cases, the matter will be resolved straightaway to the parents' satisfaction. If the Form Teacher cannot resolve the matter alone, he/she will consult the Headteacher.
- Complaints made directly to the Headteacher will usually be referred to the relevant Form Teacher unless the Headteacher deems it appropriate for her to deal with the matter personally.
- The school will acknowledge a written notification of a concern by telephone, email or by letter within **five** 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.
- The Headteacher will make a written record of all significant complaints and the date on which they were received and how and when they were resolved. This is kept within the appropriate Falkner House Complaints Register and is retained for seven years. Should the matter not be resolved within seven working days or in the event that the Headteacher and the parent fail to reach a satisfactory resolution then parents will be advised to proceed with their complaint in accordance with Stage 2 of this Procedure.
- 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.
- Although all formal complaints will be made in writing, this does not mean that the formal stage is automatically triggered whenever a concern is expressed in writing.
- Complaints against the headteacher will, unless resolved at stage 1, automatically be dealt with by a Stage 3 Panel Hearing.

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 Headteacher stating explicitly that they wish to invoke the formal complaints procedure. The form in Appendix 1 may be used but this is not compulsory. The Headteacher will decide, after considering the complaint, the appropriate course of action to take.

- The Headteacher will acknowledge receipt of the complaint by speaking or writing to the parents concerned within **five** 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 the Headteacher to carry out further investigations.
- The Headteacher will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Headteacher 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; this will happen within **fifteen** working days of the formal complaint being acknowledged. The Headteacher will also give reasons for her decision.
- 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 write to the Headteacher requesting a panel hearing stating 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 matter will then be referred to the Complaints Panel for consideration. The Panel will consist of at least three persons none of whom have been directly involved in the matters detailed in the complaint and one of whom is independent. The independent panel member will not be involved in the management or running of the school and will not have had any prior involvement in the matters complained about. The Panel members shall be appointed by the Partners.
- The Panel will acknowledge the complaint within **five** working days and schedule a hearing to take place as soon as reasonably practicable and within **fifteen** working days. 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 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 parents and the Head

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, students or parents, although it may make recommendations where appropriate.

- 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. Copies of such particulars shall be supplied to all parties not later than **five** working days prior to the hearing.
- Parents may be accompanied by a friend or relative, but legal representation is not usually appropriate. If parents wish to be accompanied by a legally qualified person, acting in their professional capacity, the School must be notified at least **five** 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.
- If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation.
- Where further investigation is required, the Panel will decide how it should be carried out and agree a timescale within **ten** working days. Following consideration of all relevant evidence, the Panel will make findings and recommendations.
- The Panel will write to or email the parents (and, where relevant, the person who is the subject of the complaint) within **five** working days of the Hearing informing them of its findings, recommendations and decision together with the reasons for that decision. Copies of the findings and recommendations will also be given to the Headteacher and proprietors and retained in accordance with the school's records retention schedule and policy.
- The decision of the Complaints Panel is final and concludes the school's internal complaints procedure.

Suspensions/exclusions

Appeals relating to suspensions/exclusions will be handled in accordance with the procedures set out in the school's Behaviour Policy. Such matters will not normally be considered under the Complaints Policy unless the complaint concerns the manner in which the process was conducted.

External Complaints

If parents believe that the school is not meeting the Independent School Standards, they may raise their concerns with the Department for Education. The Department does not normally investigate or determine individual complaints but may consider concerns as part of its regulatory oversight of independent schools and may request inspection activity where appropriate.

Data Protection Please see also the Schools Data Protection Policy

A complaint relating to the school's handling of personal data will be handled in accordance with the school's data protection obligations and applicable legislation, including the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 and the Data (Use and Access) Act 2025 and any subsequent applicable legislation.

Individuals (parents, pupils, staff or visitors) who have concerns about how their personal data has been collected, used, stored, or shared by the school should submit their complaint in writing (the complaint form in Appendix 2 may be used but this is not compulsory) to the Bursar who is the school's designated Data Protection Lead (DPL). [1] The DPL 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 school will facilitate the making of data protection complaints and investigate them without undue delay. The school will acknowledge receipt of the complaint within **five** working days and will aim to provide a substantive response within **one calendar month.** Where permitted by law and where a complaint is complex or received during a period of school closure, the school may extend the response period by up to a further **two calendar months**. The complainant will be informed within the initial **one-month** period of the reasons for the delay and the expected date of response.

If the complainant remains dissatisfied, they will be advised of their right to escalate the matter to the Information Commission (formerly the ICO).

Records and Monitoring

- A confidential written record of all formal complaints with the date on which they were received (Falkner House Complaints Register) and details of whether they were resolved at Stage 2 or proceeded to a Panel hearing is kept for at least seven years together with action taken by the school as a result of those complaints (regardless of whether they are upheld). If they relate to allegations of abuse 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.
- Falkner House 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

[1] We have considered whether the level of data etc. processed by the school requires a Data Protection Officer and concluded that a DPL is what is required. We are not a public authority or body and our core activities do not require regular and systematic monitoring of individuals on a large scale and do not involve large-scale processing of sensitive data.

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.
- The Board monitors the number and type of complaints received and the operation of the procedures set out in this policy. They also review the policy at least annually to ensure it meets statutory requirements and continues to reflect best practice.
- Records will be made available for parents on request to Ofsted (Piccadilly Gate Store Street Manchester M1 2WD enquiries@ofsted.gov.uk 0300 123 4666) and ISI (Cap House 9-12 Long Lane London WC1A 9HA concerns@isi.net 020 600 0100

Number of formal complaints

Over the course of the previous academic year (2025/26), there have been no Stage 2 complaints, None have progressed to a panel hearing.

EYFS (Nursery and Reception)

Falkner House will investigate any written complaint relating to its fulfilment of the EYFS requirements and notify the complainant of the outcome of the investigation within 28 days of receiving the complaint. The school will maintain a written record of all complaints and their outcome relating to its EYFS provision This record will be made available to Ofsted and inspectors on request and retained for at least seven years.

Parents of children in the EYFS may contact Ofsted – (Piccadilly Gate Store Street Manchester M1 2WD) enquiries@ofsted.gov.uk 0300 123 4666 or the relevant inspection authority (ISI Cap House 9-12 Long Lane London WC1A 9HA concerns@isi.net 020 600 0100 if they believe the school is not meeting the EYFS requirements.

Appendix 1

Falkner House Formal Complaint Form

Parents may feel they need to make a formal complaint, because they are concerned about their child's wellbeing or education. Our goal is to work with you to resolve issues constructively. Please ensure you have attempted to discuss this informally with the relevant staff member or a senior member of staff before submitting this form, as this is the best way to resolve issues quickly and constructively.

1. Your Details

- Full name:
- Child's name and year group:
- Contact details:
    - email
    - phone number

2. The Issue

Please provide a summary of your concern: what happened, where, and when.

- Date/Time of incident(s):
- Staff member(s) involved (if applicable):
- Your Account: Please keep this factual and objective.

3. Informal Resolution Attempts

Please tick the relevant box:

[ ] I have discussed this with [ ]

[ ] I have not yet had the chance to discuss this informally.

4. Your Desired Outcome

What would you like to happen to resolve this matter to your satisfaction?

5. Supporting Information

Are you attaching any supporting documents? (e.g., emails, photos, letters)

[ ] Yes Please list them here: _____

[ ] No

7. Submission Instructions

Please mark your envelope or email subject line as: "Private and Confidential: Formal Complaint" to

- office@falknerhouse.co.uk or office20pr@falknerhouse.co.uk or by post / hand to
- 19 Brechin Place SW7 4QB or 20 Penywern Road SW5 9SU

Appendix 2

Falkner House Formal Complaint Form

Parents may feel they need to make a formal complaint, because they are concerned about their child's wellbeing or education. Our goal is to work with you to resolve issues constructively. Please ensure you have attempted to discuss this informally with the relevant staff member or a senior member of staff before submitting this form, as this is the best way to resolve issues quickly and constructively.

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Appendix 2

Falkner House Formal Data Protection Complaint Form

This form is intended to help you to submit a data protection complaint in a way that will enable us to investigate and deal with it as quickly as possible. The form is entirely optional and, if you prefer, you can simply write to us or email us with your complaint using the contact details in section 5.

1 About you *This section should be completed in relation to* ***the person who is making the complaint****, even if the complaint relates to someone else.*

Your name	
Your address	
Your contact details	
Your identity information *For security reasons, we cannot respond to a complaint unless we have confirmed your identity. Please provide details of identity information required, eg a certified copy of a driving licence or passport, plus a utility bill or other proof of address*	Please attach or upload your identity documents to this form when returning it to us.

2 Whose personal data does the complaint relate to? Please provide the following information.

Who are you complaining on behalf of?	☐ I am complaining on my own behalf—you can skip the rest of this section and move to section 3 ☐ I am complaining on behalf of someone else—please complete the rest of this section and then move to section 3

2.1 If you are complaining on behalf of someone else, please provide the following information about the person on whose behalf you are making this complaint. We will need this information before we can deal with the complaint.

Full name	
Address	
Contact details	
Date of birth (if under 16)	
Identity information *For security reasons, we cannot respond to a complaint unless we have confirmed your identity. Please provide details of identity information required, eg a certified copy of a driving licence or passport, plus a utility bill or other proof of address*	Please attach or upload their identity documents to this form when returning it to us.

2.2 Please also provide a copy of your legal authority to make this complaint. This might be a signed letter of authority from the person on whose behalf you are making this complaint, a power of attorney, or confirmation that you are their legal representative.

3 Details of complaint *Please complete this section with details of the complaint. You may wish to attach additional information or documentation.*

What is your complaint about? *Please tick all that apply:*
☐ No response to a data subject request
☐ Incomplete response to a data subject access request, ie some of the personal data or information requested is missing
☐ Personal data security breach
☐ Inaccurate personal data
☐ Inappropriate sharing of personal data with a third party
☐ Direct marketing activities
☐ Keeping personal data for longer than necessary
☐ Using personal data for a different reason than we originally told you
☐ Exceeding the scope of your consent
☐ Other

Please provide more details of your complaint
Please provide more details here, including any relevant dates.
Proposed remedy (optional)
This section is optional, but if you know what you would like us to do in response to your complaint, please tell us here.

4 Any other information *This section is optional.*

Please use this section to provide any other information you think is relevant but is not covered elsewhere on this complaints form.

5 Returning this form *You can send this form to us by email or post:*

Our email address	office@falknerhouse.co.uk
Our postal address	Tim Larvin DPO 19 Brechin Place London SW7 4QB or 20 Penywern Road London SW5 9SU

You can also use these contact details if you have any queries about this form or you wish to submit a complaint without using this form.