



The Crypt School Complaints Policy & Procedure

Lead Person:	Senior Deputy Head
Governing Body Committee:	Resources, Staff & Pay
Required by:	Statutory requirement

Introduction

The Crypt School prides itself on the quality of teaching and pastoral care provided to its students. However, if parents or guardians do have a complaint, they can expect it to be treated by the School efficiently and sensitively in accordance with this procedure.

Scope of this complaints procedure

Complaints that are not directly related to a pupil currently on roll at the school are outside the scope of this procedure, but will be handled respectfully and expediently.

This procedure does not apply to complaints for which separate statutory procedures exist, including those listed below.

Exceptions	How complaints are handled
Admissions to school	You can make an objection to the Office of the Schools Adjudicator (OSA) (https://www.gov.uk/government/organisations/office-of-the-schools-adjudicator) if you think that the admissions arrangements of The Crypt School do not comply with the 'School Admissions Code' (the Code) or other legislation relating to school admissions. Concerns about individual admissions decisions are handled through the Gloucestershire County Council admissions appeals process.
Matters likely to require a Child Protection Investigation	Handled under our Safeguarding Policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) (01452 426 994) or the Multi-Agency Safeguarding Hub (01452 426 565, childrenshelpdesk@gloucestershire.gov.uk)
Exclusion of children from school	For further information on raising concerns, see the Department for Education statutory guidance, <i>Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England</i> (August 2024).

Whistleblowing	We have an internal whistleblowing procedure for all employees, including temporary staff and contractors (see Whistleblowing Policy on the school website). The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus. Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
Staff grievances	Dealt with under the School's Grievance Policy
Staff conduct	Dealt with under the School's Disciplinary and Appeals Procedure. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint, but will be notified that the matter is being addressed.

The difference between a concern and a complaint

A concern may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.

A complaint may be defined as *'an expression of dissatisfaction, however made, about actions taken or a lack of action'*.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally without the need to use the formal stages of the complaints procedure. The Crypt School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

We understand, however, that there are occasions when people would like to raise their concerns formally. In this case, The Crypt School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

Aims of the Procedure

The procedure aims to ensure that all concerns or complaints are dealt with as quickly and sensitively as possible, and by the person best able to do so. Whenever possible, the School will try to resolve concerns before there is a need for a complaint to be made. Concerns or complaints will be received in a positive manner dealt with comprehensively and as far as possible in confidence.

Resolving concerns or complaints

At each stage in the procedure, the School aims to resolve the concern or complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an apology;

- an explanation;
- an admission that the situation could have been handled differently or better;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again; and
- an undertaking to review school policies in light of the complaint.

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage.

Withdrawal of a complaint

If a complainant wishes to withdraw their complaint at any stage, we will ask them to confirm this in writing.

How to raise a concern or complaint

Informal stage

Parents or students with concerns should contact the form tutor, or teacher, or relevant Head of Year, or the Senior Deputy Head, whoever is the most appropriate to your concerns. This can be done by email, telephone, letter or in person by appointment. The complainant should normally expect a response within five school days.

Formal stages

There may be occasions when concerns cannot be resolved by the informal stage. Where this is the case, the complaint should be put in writing and sent to the Head at The Crypt School (ndyer@crypt.gloucs.sch.uk or The Crypt School, Podsmead Road, Gloucester GL2 5AE). The complaint should be set out in detail and complainants are encouraged to use the complaint form at Appendix 1. If you require help in completing the form, please contact the school office.

Complaints against school staff (except the Head) should be made in the first instance to the Head. Please mark them as Private and Confidential.

Complaints that involve or are about the Head should be addressed to the Chair of Governors, via the school's address or email lee.hill@cryptschool.org. Please mark them as Private and Confidential.

Complaints that involve or are about individual Trustees/Governors, the Chair of Governors or the whole governing body should be made in the first instance to the Clerk to Governors, Mrs Nicola Donlon, via the school's address or email clerk@crypt.gloucs.sch.uk. Please mark them as Private and Confidential.

The content of complaints will normally be shared with those individuals who are the subject of complaint, unless there are strong reasons not to do so (e.g. sharing could compromise the collection of evidence or the complaint might require the involvement of the police).

Complainants should not approach individual Trustees/Governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at a later stage of the procedure.

In accordance with equality law, we will consider making reasonable adjustments, if required, to enable complainants to access and complete this complaints procedure: for instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Head or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if we consider that exceptional circumstances apply.

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

If other bodies are investigating aspects of the complaint, for example the police, local authority safeguarding teams or tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale.

If a complainant commences legal action against The Crypt School Academy Trust in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

Procedure for formal Stages 1, 2 and 3

The School will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within five school days¹.

After considering the nature of the complaint, the Head will determine whether it should be heard at stage 1 or 2 of the formal procedure. The Head will also determine which member of staff should hear the complaint at stage 1.

¹ Days on which the School is open to pupils.

- **Stage 1:** complaint heard by a senior member of staff. If a resolution cannot be found the member of staff should inform the complainant of their right of appeal to the Head (Stage 2) and inform the Head of the action taken.

- **Stage 2:** complaint heard by the Head. Complainants who are not satisfied by the outcome of Stage 2 (heard by the Head) can formally request a review of the complaint by an individual Governor/Trustee (Stage 3) within 10 school days of receipt of the Stage 2 response.

If the complaint is about the Head or a member of the Governing Body, the Chair of Governors will appoint an investigator to complete all the actions at Stage 2 and will respond to the complainant.

For complaints against the Chair, both the Chair and Vice Chair or the whole governing body, the Clerk will determine the most appropriate course of action. This will depend on the nature of the complaint and may involve sourcing an independent investigator/panel.

- **Stage 3:** complaint heard by an individual Governor/Trustee. The Chair of Governors will appoint a Governor/Trustee to consider the complaint and all the evidence gathered or presented to date and to decide the outcome. The Governor/Trustee appointed should have had no prior involvement with the complaint. They may conduct further interviews or gather further information to inform their consideration of the complaint at this stage.

If the complaint is about the Head, a Governor/Trustee or the whole Governing Body, this stage is omitted and the complaint proceeds directly to the final stage (Stage 4).

- **Stage 4:** complaint heard by Governing Body's Complaint Review Panel (see below).

At Stage 1, 2 or 3:

Those involved in the matter and/or those complained of may be interviewed (and may be accompanied if they wish) by the investigator (see Appendix 2). The person considering the complaint will keep a written record of any meetings/interviews in relation to their investigation.

Wherever possible, complaints will be responded to within a maximum of 20 school days (although usually a much shorter time) of receiving the written complaint. If it will not be possible to meet this deadline, the complainant will be provided with an update and a revised response date.

The written response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason for it. Where appropriate, it will include details of actions the School will take to resolve the complaint. The response will also advise the complainant how to escalate their complaint should they remain dissatisfied with the outcome.

Procedure for the Governing Body's Complaint Review Panel (Stage 4)

Complainants who are not satisfied by the outcome of Stage 3 can formally request a review of the complaint by a Complaint Review Panel within 10 school days of receipt of the Stage 3 response. For complaints concerning the Head or a member of the Governing Body, a review by a Complaint Review Panel may be requested within 10 school days of receipt of the Stage 2 response. The complainant must write to the Clerk to the Governing Body giving details of the complaint and why they are not satisfied with the outcome of the previous stage(s). The Clerk will record the date the

complaint is received and send within five school days a written acknowledgement and a commitment to review the complaint.

The Clerk will then convene a Complaints Review Panel (CRP) to hear the appeal. The CRP will consist of at least three people who have had no prior connection with the complaint, one of whom will be independent of the management and running of the School (i.e. not a current Governor/Trustee, Member or employee). If the complaint is:

- Jointly about the Chair and Vice Chair or
- The entire Governing Body or
- The majority of the Governing Body

Stage 4 will be heard by a completely independent committee/panel.

The Clerk will write to the complainant to inform them of the date of the panel hearing. They will aim to convene a hearing within 15 school days of the Clerk receiving notice of the complaint. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed. If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complainant may be accompanied by a friend or relative to provide support (no party is encouraged to bring legal representation, in most circumstances). Representatives from the media are not permitted to attend.

Before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the Panel at least seven school days before the meeting.

Any written material will be circulated to all parties at least five school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The panel will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before recorded meetings or conversations take place. Consent will be recorded in any minutes taken.

The Panel may choose its own chair, set out its terms of reference and make its own procedures, which will accommodate the nature of the complaint being reviewed. The Panel will ensure that the complainant is heard in private, is welcomed, and as far as possible is put at ease. Careful

consideration must be taken when the complainant is a pupil. It may in this case be appropriate to offer the student an advocate in the form of a more senior student or member of staff of their choosing.

The Panel will consider the complaint and all the evidence presented and decide the outcome. The Panel can:

- dismiss the complaint in whole or part;
- uphold the complaint in whole or part;
- decide on appropriate action to resolve the complaint;
- where appropriate, recommend changes to the School's systems or procedures.

The Panel's decision is binding. The Chair of the Panel will provide the complainant, The Crypt School and, where relevant, the person complained about, with a full explanation of their decision and the reason(s) for it, in writing, within five school days of the Panel meeting. The letter will include details of how to contact the Education and Skills Funding Agency (DFE) if they are dissatisfied with the way their complaint has been handled by the School. The letter will be made available for inspection on the school premises by the Governing Body and the Head.

Documentation

A written record will be kept by the Head's Personal Assistant of all formal complaints. This will record details of the stage at which complaints are resolved and the action taken by the school as a result of those complaints. For complaints considered by a Governor or other appointed person, the complaint record will be kept by the Clerk to the Governors. Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under s.109 of the Education and Skills Act 2008 requests access to them. The School will keep any personal information relating to a complaint in a secure manner for a period of 6 years.

The Role of the Department for Education

Complainants that are not satisfied with the handling of their complaint by the School can refer the matter to the Department for Education (DFE). The DFE normally expects that complainants will have completed the School's complaints procedure first. The DFE will investigate complaints where there has been undue delay or non-compliance with the school's complaints procedure. They will not overturn the Panel's decision but can recommend that the complaint is looked at again, and will intervene if the school has failed to comply with a legal or funding agreement obligation or has acted unreasonably when exercising related education functions.

Vexatious Complaints

If the complainant remains dissatisfied after all stages have been properly followed and reasonable steps taken to address their concerns, the Chair is empowered to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Procedure for Complaints Campaigns

Occasionally, the School may become the focus of a campaign and receive large volumes of complaints:

- all based on the same subject
- from complainants unconnected with the school.

In this event, the School will follow a separate procedure. The Head will determine how the complaint should be investigated and will approve the School's standard response. This response will be sent to all complainants or, if appropriate because of the large number of complainants, will be published on the School's website. Complainants that are not satisfied by the handling of their complaint can refer the matter to the DFE (see above).

Monitoring and Review

The Head will report to staff from time to time, and to the Governing Body annually or earlier if the Chair so determines, on the number and type of complaints received and their outcomes.

Links to Other Policies:

Safeguarding Policy, Behaviour Policy, Grievance Policy, Disciplinary and Appeals Policy, Barring Disruptive Parents Policy

Reviewed: January 2025

Updated April 2025 to remove references to ESFA

Approved by Headmaster: January 2025

Review Cycle: 2 years

Date of Next Review: December 2026

APPENDIX 1: COMPLAINT FORM

Please complete and return to the Head (ndyer@crypt.gloucs.sch.uk), or Chair of Governors/Trustees (lee.hill@cryptschool.org) if your complaint concerns the Head

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number: Email address:

Please give details of your complaint, including whether you have spoken to anybody at the school about it.

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.
Signature:
Date:
Official use
Date acknowledgement sent:
By who:
Complaint referred to:
Action taken:
Date:

Appendix 2: Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator is the person who investigates a complaint at Stage 1, 2 or 3 of the formal procedure. The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children/young people and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- liaising with the complainant as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the Head Teacher or complaints review panel that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The Head or complaints review panel will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Clerk to the Governing Body / Trust Board

The Clerk is the contact point for the complainant and the complaints review panel and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example: stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings in writing
- circulate the minutes of the meeting
- notify all parties of the Panel's decision.

Panel Chair

The Panel's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the Panel is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the Panel is open-minded and acts independently
- no member of the Panel has an external interest in the outcome of the proceedings or any

involvement in an earlier stage of the procedure

- the meeting is minuted
- they liaise with the Clerk.

Panel Member

Panel members should be aware that:

- The meeting must be independent and impartial, and should be seen to be so
- No governor may sit on the Panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. The complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- Many complainants will feel nervous and inhibited in a formal setting.
- Parents/carers often feel emotional when discussing an issue that affects their child.
- Extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting. Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The Panel should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the Panel should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the Panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the Panel considers is not in the child/young person's best interests. The welfare of the child/young person is paramount.