

## Complaints Policy



Written by	Harriet Carter	October 2025
Next review due by		October 2026

## **Who Can Make a Complaint**

This policy applies to any individual or organisation who wishes to raise a concern or complaint about the operation of Earley Springs School.

Complaints may be made by:

- Parents or carers of current or former pupils,
- Pupils (where appropriate, given their age and understanding),
- Members of the public,
- External professionals or other stakeholders connected with the school.

This policy covers any complaint about the provision, conduct, or services of the school, except where a separate, statutory procedure applies.

As an independent special school, Earley Springs is not subject to local authority appeals procedures for admissions or exclusions. Those statutory frameworks apply only to maintained schools.

## **Concerns and Complaints: Understanding the Difference**

- A concern is an expression of worry or dissatisfaction raised at an early stage, usually best resolved through informal discussion and mutual understanding.
- A complaint is a formal expression of dissatisfaction, however made, about actions taken, decisions made, or a perceived failure to act appropriately.

Earley Springs encourages concerns to be raised informally in the first instance, as early resolution often prevents issues from escalating.

## **Resolving Concerns Informally**

Where possible, the school aims to resolve concerns promptly and informally.

Parents and carers are encouraged to discuss any issues directly with the class teacher or another relevant member of staff.

If the concern cannot be resolved informally, or if the matter is more serious, the complainant will be advised to proceed to the formal stage of this policy.

Mediation may be offered if both parties agree it is appropriate, but this will not replace a formal investigation where one is required.

## **Raising a Formal Complaint**

Formal complaints can be submitted:

- In writing (by letter or email),
- In person, or
- By telephone.

Where a complainant requires support (for example, due to disability or communication barriers), the school will make reasonable adjustments, such as providing information in alternative formats or supporting the individual to set out their complaint clearly.

Complaints may also be made through a third party acting on behalf of the complainant, provided that written consent has been given.

### The Complaints Officer

The Complaints Officer for Earley Springs is the Office and Compliance Manager - Jamie Chapman (or a delegated member of the Senior Leadership Team).

They are responsible for:

- Acknowledging all complaints and coordinating the investigation process,
- Maintaining accurate and confidential records,
- Ensuring compliance with this policy and the Independent School Standards, and
- Acting as the point of contact between the complainant and the school during all stages of the process.

All written correspondence should be marked “Private and Confidential – For the Attention of the Complaints Officer” and sent to:

[admin@earleyspringsschool.com](mailto:admin@earleyspringsschool.com)

Earley Springs School, Ashford Road, Maidstone, Kent, ME17 1BL

### Making a Complaint About Specific Roles

- About a Member of Staff:  
Address to the Complaints Officer, who will coordinate the investigation with the Headteacher.
- About the Headteacher:  
Address to the Chair of the Executive Board, via the Complaints Officer. The Chair will determine how the matter will be investigated.
- About the Chair or Executive Board:  
Address directly to the Proprietor (if separate from the Board) or to an independent investigator appointed by the Executive Board.  
*Note: Complaints about the Executive Board are not handled by the Clerk (Emily Jenkins), whose role is administrative only.*
- If at any stage a complaint raises a safeguarding or child protection concern, the matter will be referred immediately to the Designated Safeguarding Lead (DSL) and, where appropriate, to the Local Authority Designated Officer (LADO) in accordance with Keeping Children Safe in Education.

### Anonymous Complaints

Anonymous complaints will not normally be investigated unless the nature of the issue raises safeguarding, welfare, or health and safety concerns that require further review. In such cases, the Headteacher and the DSL (Designated Safeguarding Lead) will determine the appropriate action.

### **Additional Support and Advocacy**

The school recognises that some complainants may require support to access this process. Assistance will be offered where reasonable — for example, help completing forms, arranging interpreters, or providing a quiet, accessible meeting space.

Complainants may also seek independent advice from services such as Citizens Advice; however, the school will remain the primary point of contact for handling all complaints under this policy

### **Time Limits for Making a Complaint**

Complaints should be raised as soon as possible after the issue arises. To ensure timely resolution, complaints must normally be made within three months of the event or, in cases involving a series of related incidents, within three months of the most recent incident.

Complaints submitted outside this timeframe will only be considered in exceptional circumstances, where it is reasonable and fair to do so.

### **Complaints Received Outside Term Time**

Complaints submitted during school holidays will be acknowledged within five working days of receipt. Where the complaint relates to urgent matters, such as safeguarding, health and safety, or pupil welfare, the Designated Safeguarding Lead or Headteacher will review the issue immediately.

For all other matters, complaints will be treated as received on the first school day following the end of the holiday period.

### **Scope of this Complaints Procedure**

This policy applies to all complaints relating to the operation, provision, and services of Earley Springs School, except where separate statutory or internal procedures apply.

As an independent special school, Earley Springs is not subject to local authority appeal or statutory processes (such as those governing maintained schools) is not subject to local authority appeal or statutory processes (such as those governing maintained schools).

The table below outlines matters not covered by this procedure and where alternative processes apply:

Type of Concern	Alternative Procedure / Contact
<b>Safeguarding or Child Protection Matters</b>	Handled under the Safeguarding and Child Protection Policy, in line with <i>Keeping Children Safe in Education (KCSIE)</i> .
<b>Data Protection or Freedom of Information Requests</b>	See the Data Protection and Freedom of Information Policies.
<b>Staff Grievance, Capability or Disciplinary Matters</b>	Addressed under the relevant staff policies.
<b>Complaints About Staff Conduct</b>	Investigated internally in accordance with the school's disciplinary procedures. Complainants will be informed that the matter is being addressed but not of any confidential outcomes.
<b>Whistleblowing Concerns</b>	Addressed through the Whistleblowing Policy. Employees, contractors, or volunteers may raise concerns internally or, if preferred, directly with the Department for Education (DfE) at <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a> .
<b>Services Provided by External</b>	Complaints should be directed to the external provider concerned.

<b>Providers Using School Premises</b>	
<b>Pupils with Education, Health and Care Plans (EHC Plans)</b>	Complaints regarding the provision specified in an EHC plan may be raised with the Local Authority SEND team responsible for the plan. Other issues relating to school provision should follow this policy.
<b>Curriculum Content or National Policy</b>	Concerns about national curriculum policy should be directed to the Department for Education via <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a> .

### **Whistleblowing and Anonymous Complaints**

Anonymous complaints will only be investigated where the issue raised involves safeguarding, welfare, or a potential breach of statutory duty.

In such cases, the Headteacher or Designated Safeguarding Lead will determine appropriate next steps.

Employees, contractors, and volunteers may refer serious concerns to the Department for Education under the Public Interest Disclosure Act 1998 if they do not wish to report internally.

### **External Investigations and Legal Proceedings**

Where a complaint is subject to investigation by an external agency — such as the police, local authority safeguarding teams, or a tribunal — the school's complaints process may be temporarily suspended. In these circumstances, Earley Springs will inform the complainant in writing and confirm when the internal process will resume once the external investigation concludes.

If a complainant initiates legal proceedings against Earley Springs regarding the same matter, the internal complaints procedure will be paused until the legal case is resolved.

### **Duplicate Complaints:**

Where a duplicate complaint is received from a close relative (such as a spouse, partner, or grandparent) concerning the same matter, the Complaints Officer will notify the new complainant that the issue has already been investigated and addressed.

If the duplicate complaint raises new information or additional concerns, those specific aspects will be considered and investigated under this policy.

Complainants dissatisfied with the school's handling of the original complaint may contact the Department for Education (DfE) once all internal stages are complete.

## **Resolving Complaints**

Earley Springs aims to resolve all complaints promptly, fairly, and transparently, in a manner that supports positive relationships and continuous improvement.

Where a complaint is upheld in whole or in part, the school may:

- Provide an explanation for what happened and why;
- Acknowledge where practice could have been improved;
- Offer an apology where appropriate;
- Outline steps taken to prevent a recurrence; and
- Review or amend relevant policies or procedures.

## **Withdrawal of a Complaint**

If a complainant wishes to withdraw their complaint, this must be confirmed in writing to the Complaints Officer. The school will acknowledge the withdrawal in writing and record this decision for audit purposes.

## **Stage 1: Making a Formal Complaint**

Earley Springs encourages complainants to raise concerns informally where possible, but if the issue remains unresolved, the formal Stage 1 procedure applies.

Formal complaints must be addressed to the Complaints Officer: Jamie Chapman  
admin@earleyspringsschool.com  
Earley Springs School, Ashford Road, Harrietsham, Kent, ME17 1BL

Complaints may be made:

- In writing (letter or email);
- By telephone; or
- In person by appointment.

A **Complaint Form** is available at the end of this policy to assist in setting out the details clearly. If support is required (for example, due to communication needs), reasonable adjustments will be made to assist the complainant.

## **Acknowledgement and Initial Response**

The Complaints Officer will:

- Record the date of receipt;
- Acknowledge the complaint in writing within five school working days; and
- Clarify the issues raised, the desired outcome, and next steps.

Where appropriate, a meeting may be arranged to discuss the matter in more detail.

### Investigation Process

The Complaints Officer (or an appropriate member of the Senior Leadership Team, delegated by the Headteacher) will coordinate the investigation.

The investigator will:

- Interview relevant individuals, including the complainant and any staff involved;
- Keep written records of all meetings, discussions, and evidence gathered; and
- Maintain confidentiality throughout the process.

If the complaint concerns a staff member, that individual will be informed and given the opportunity to respond.

### Outcome and Written Response

A written response will be issued within 20 school working days of receipt of the complaint. If additional time is required (for example, due to the complexity of the issue), the complainant will be informed in writing with an updated timeline.

The written response will include:

- The findings of the investigation;
- The conclusion reached and reasons for it;
- Any actions taken (or planned) to address the complaint; and
- Details of how to escalate the complaint to Stage 2 if the complainant remains dissatisfied.

### Complaints About the Headteacher or Executive Board

- Complaints about the Headteacher: Should be addressed to the Chair of the Executive Board, via the Complaints Officer. A suitably qualified and impartial member of the Board, or an independent investigator, will oversee the process.
- Complaints about the Executive Board or its Chair: Should be submitted to the Proprietor (if separate from the Board) or to an independent investigator appointed by the Proprietor or Governance Lead. The Clerk (Emily Jenkins) may assist with administration but will not investigate or decide the outcome.

The appointed investigator will provide a written response to both the complainant and the Board, following the same process and timelines as outlined above.



## **Stage 2: Appeal to the Executive Board**

If a complainant is dissatisfied with the outcome of Stage 1, they may request a formal review under Stage 2 of this procedure.

### **Request for Stage 2 Review**

A request to escalate must be made in writing to the Clerk to the Executive Board, addressed to *The Complaints Officer, Earley Springs School*, within five working school days of receiving the Stage 1 outcome. Requests received after this timeframe will only be accepted in exceptional circumstances where delay was unavoidable.

The Clerk will acknowledge receipt of the request within five working school days, confirming the next steps and indicative timelines.

### **Composition of the Stage 2 Panel**

The Stage 2 panel will:

- Consist of at least three members, none of whom have been directly involved in the complaint at an earlier stage.
- Include one panel member who is independent of the management, governance, and ownership of Earley Springs School, as required by the Independent School Standards.
- Appoint one member as the Chair of the panel.

If suitable internal members are unavailable, the Clerk will appoint independent members (for example, from other independent schools or relevant education bodies) to ensure impartiality.

### **Scheduling the Hearing**

The Clerk - Emily Jenkins will:

- Arrange the panel hearing within 20 working school days of receiving the Stage 2 request (or as soon as reasonably practicable during holiday periods).
- Confirm the date, time, and venue in writing at least 10 working days before the meeting.
- Request any written submissions or evidence from both parties to be submitted seven working days prior to the hearing.  
All written materials will be circulated to the panel and parties involved no later than five working days before the meeting.

If the complainant is unable to attend or rejects three proposed dates without good reason, the panel may proceed on the basis of written evidence.

### **Conduct of the Meeting**

The hearing will be held in private, with due regard for confidentiality and equality of access. The complainant may be accompanied by a friend, relative, or representative (not acting in a legal capacity).

Audio or visual recording of the meeting will not normally be permitted unless required as a reasonable adjustment for disability, with the prior consent of all parties.

The meeting will follow a clear structure to ensure procedural fairness, allowing both parties to:

1. Present their case and evidence,
2. Ask questions through the Chair,
3. Summarise their position before the panel withdraws to deliberate.

### **Panel Decision and Outcome**

The panel will consider all the evidence and may:

- Uphold the complaint in whole or in part, or
- Dismiss the complaint in whole or in part.

If the complaint is upheld (in full or partially), the panel may recommend appropriate remedial actions, including policy amendments, further staff training, or other steps to prevent recurrence.

The Chair of the Panel will ensure a written outcome is sent to the complainant and to the Headteacher within 15 working school days of the hearing.

This outcome will:

- Summarise the findings and reasons for the decision,
- Specify any actions to be taken,
- Confirm that the decision of the panel is final, and
- Provide details of how the complaint may be escalated to the Department for Education if the complainant believes that Earley Springs has failed to comply with its legal obligations.

A written record of the complaint, its progress, and the outcome will be retained in accordance with the Independent School Standards (Part 7, paragraph 33k). All records, correspondence, and notes relating to complaints will be retained securely for a minimum of three years and made available for inspection by the Department for Education or Ofsted on request.

### **Stage 3 – Independent Review and External Referral**

If the complainant remains dissatisfied with the outcome of the Stage 2 Panel, they may request that their complaint be referred to Stage 3: Independent Review.

#### **Requesting a Stage 3 Review**

- A request for a Stage 3 Review must be submitted in writing within 10 working school days of receiving the Stage 2 Panel's written outcome.
- Requests should be addressed to the Chair of the Executive Board, via the Clerk (Emily Jenkins), who will acknowledge receipt within five working school days.
- The Chair will consider whether:
  - All internal procedures have been followed correctly;
  - There are exceptional grounds that justify external referral or further scrutiny.

### **Independent Reviewer Appointment**

If further review is warranted, the Chair (through the Clerk) will appoint an Independent Reviewer who:

- Has no prior involvement in the complaint or the running of Earley Springs;
- Possesses appropriate professional expertise (for example, an experienced school leader, governor, or safeguarding consultant); and
- Will act impartially, ensuring that the review is fair, transparent, and proportionate.

The Independent Reviewer may be supported by an additional independent colleague if the complexity of the case requires it.

### **Scope of the Stage 3 Review**

The purpose of the Stage 3 Review is to ensure that:

- The complaint was handled in line with Earley Springs' Complaints Policy and the Independent School Standards (Part 7);
- Procedural fairness was maintained at each stage; and
- The findings and decisions of the Stage 2 Panel were reasonable, proportionate, and appropriately evidenced.

The Independent Reviewer will not reinvestigate the substance of the complaint unless new, substantive evidence has emerged that was not reasonably available at Stage 2.

### **Review Process**

- The Independent Reviewer will review all documentation, correspondence, and evidence relating to the previous stages.
- They may request written clarification from either party or, where necessary, meet with the complainant and/or Headteacher.
- The review will normally be completed within 25 working school days of the referral.
- Once concluded, the Independent Reviewer will prepare a short written report summarising:
  - The process followed;
  - Whether procedures were compliant with policy and regulation;
  - Any recommendations for further action, learning, or governance review.

### **Outcome of the Stage 3 Review**

- The Chair of the Executive Board will issue the final written response, enclosing the Independent Reviewer's findings, within 10 working school days of the review's completion.
- This correspondence will confirm that the internal complaints process has now been exhausted

### **Handling Complaint Campaigns**

Where a large number of complaints are received about the same issue from individuals unconnected with the school, Earley Springs may:

- Issue a standard response addressing the common concerns; or
- Publish a single public statement (e.g. via the website) to provide clear and consistent information.

Individual complainants who remain dissatisfied may request that their specific concerns be reviewed under Stage 1 of this policy.

The Executive Board maintains oversight of all complaints to ensure compliance with this policy and the Independent School Standards. A termly summary (excluding personal data) is reviewed by the Board to monitor trends and inform school improvement.

### **Next Steps**

If the complainant remains dissatisfied with the way their complaint has been handled, they may contact the Department for Education (DfE).

The DfE will not usually reinvestigate the substance of complaints but will consider whether the school has met its duties under the Education (Independent School Standards) Regulations 2014.

Contact details:

Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD  
Website: [www.gov.uk/contact-dfe](http://www.gov.uk/contact-dfe)  
Telephone: 0370 000 2288

NB: The Proprietor (Earley Springs Ltd) retains ultimate responsibility for compliance with the Independent School Standards and delegates day-to-day management to the Headteacher, under the oversight of an independent Executive Board.

## Earley Springs School – Complaint Form

(Use of this form is optional. Complaints may also be submitted by letter or email.)

### Section 1 – Complainant Details

Full Name:	
Address:	
Email:	
Telephone Number:	
Preferred Method of Contact ( <input type="checkbox"/> Email <input type="checkbox"/> Phone <input type="checkbox"/> Post):	
Relationship to School ( <input type="checkbox"/> Parent/Carer <input type="checkbox"/> Pupil <input type="checkbox"/> Staff <input type="checkbox"/> Other):	

### Section 2 – Details of the Complaint

Name(s) of person(s) complaint concerns (if applicable): \_\_\_\_\_

Date(s) of incident(s): \_\_\_\_\_

Please describe your concern or complaint as clearly as possible. (Attach extra pages if needed.)

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### Section 3 – Steps Already Taken

Have you already raised this issue with a member of staff? ☐ Yes ☐ No

If yes, who did you speak to and when? \_\_\_\_\_

What was the outcome of that discussion?

\_\_\_\_\_

### Section 4 – Desired Outcome

What outcome or action would you like Earley Springs to consider?

### Section 5 – Accessibility and Reasonable Adjustments

Do you require any reasonable adjustments (e.g., accessible meeting venue, interpreter, large print)?

### Section 6 – Confidentiality and Consent

I understand that information provided in this form will be shared only with those involved in investigating and resolving the complaint, in line with the school's Data Protection Policy.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### Section 7 – For School Use Only

Date Received:

Received By (Complaints Officer):

Complaint Reference Number:

Stage (☐ Stage 1 ☐ Stage 2 ☐ Stage 3):

Action Taken:

Date Acknowledged:

Target Response Date:

Date Response Sent:

Outcome Summary:

Signed (Complaints Officer): \_\_\_\_\_

Date: \_\_\_\_\_

