

Complaints Procedures

1. AIMS	1
2. OUTLINE OF COMPLAINTS PROCEDURES AND APPROACH TO RESOLUTION	2
3. STAGE 1 - SUBMISSION OF INFORMAL COMPLAINTS	3
4. STAGE 2 - FORMAL COMPLAINTS AND APPROACH TO THEIR RESOLUTION	4
5. STAGE 3 - PANEL HEARING	6
6. REVIEW OF A DECISION TO EXPEL OR TO REQUIRE THE REMOVAL OF A PUPIL	10
7. UNREASONABLE COMPLAINTS	10
8. CONFIDENTIALITY	12
9. RECORD KEEPING, MONITORING AND REPORTING TO COUNCIL	13
10. REGULATORY FRAMEWORK	14
11. PUBLICATION AND AVAILABILITY	15
12. TRAINING	15
13. APPENDIX 1 EXPULSION AND REMOVAL: REVIEW PROCEDURE	16

1. AIMS

- 1.1. This is the complaints policy of Clifton College (“**the College**”).
- 1.2. The aims of this policy and related procedures are to provide a framework for the resolution of concerns and complaints which:
 - 1.2.1. allows for their resolution informally and sets out the College's formal procedures where this is not achievable;
 - 1.2.2. is easily accessible and publicised, simple to understand and use, and impartial and non-adversarial;
 - 1.2.3. enables a full and fair investigation where appropriate;
 - 1.2.4. respects people's desire for confidentiality;
 - 1.2.5. addresses all the points at issue and provides an effective response and appropriate redress, where necessary;
 - 1.2.6. provides information to the College's senior leadership team so that services can be improved and any systemic issues can be identified and addressed; and
 - 1.2.7. helps to create a culture of safety, equality and protection.



2. OUTLINE OF COMPLAINTS PROCEDURES AND APPROACH TO RESOLUTION

- 2.1. Clifton College 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 College with care and in accordance with the procedure described below.
- 2.2. The College's Complaints Procedure is designed to give parents of current pupils the opportunity to make a complaint about the College or its staff or governing body's behaviour if they deem this appropriate and necessary, and have that complaint considered and dealt with appropriately in a timely fashion.
- 2.3. This procedure applies to the whole College including the Early Years Foundation Stage (EYFS). The procedure has three stages:
 - 2.3.1. **Stage 1:** informal raising of a complaint with a member of staff (further details of this procedure are set out in section 3).
 - 2.3.2. **Stage 2:** formal complaint in writing to the Head (further details of this procedure are set out in section 4).
 - 2.3.3. **Stage 3:** reference to the Complaints Panel (further details of this procedure are set out in section 5).
- 2.4. In this procedure 'parent/s' includes a current parent or legal guardian or education guardian and includes a parent whose child has recently left the College if the complaint was raised when the pupil was registered at the College.
- 2.5. This procedure applies only to concerns raised by and/or complaints by parents. The College has separate grievance and whistleblowing policies to cover concerns that a member of staff may have, and complaints from others (such as members of the public) should be addressed in the first instance to the Head of College.
- 2.6. The College aims to resolve all complaints efficiently and promptly and parents are encouraged to bring any matter causing concern to the College's attention as soon as possible. Whenever possible, a complaint should be raised within three months of the incident, or where a series of associated incidents have occurred, within three months of the last of these incidents. The College may consider complaints made after 3 months, but parents should be aware that most complaints will require the College to conduct an investigation and the ability to carry out a full and fair investigation, particularly where pupils may need to be interviewed, becomes increasingly difficult as time elapses. A complaint raised after 3 months should therefore include details of the issues which led to the delay.
- 2.7. Timescales for each stage are set out below in the relevant paragraphs. Reference to 'working days' means Monday to Friday when the College is open during term time. The dates of terms are published on the College's website.
- 2.8. Complaints which are raised in the College holidays will usually be deemed to have been received on the first working day after receipt.
- 2.9. There may be occasions when it is necessary or reasonable to deviate from this



complaints procedure if this is reasonable and justified. Complainants will be notified of the changes.

- 2.10. While the School will not normally limit the contact complainants have with the School, attention is drawn to the information included in Section 7 which is drawn from:

- 2.10.1 the Department for Education's Best practice advice for school complaints procedures 2021 ; and
- 2.10.2 the Department for Education guidance Controlling access to school premises 2018.

What constitutes a complaint?

- 2.11. A complaint is an expression however made about actions taken or a lack of action by the College. It can relate to any matter about which a parent is unhappy and seeks action by the College. It may be made about the College as a whole, about a specific department or about an individual member of staff. A complaint is likely to arise if a parent believes that the College has done something wrong, or failed to do something that it should have done or acted unfairly.
- 2.12. The College will not normally investigate anonymous complaints.
- 2.13. Parents can be assured that all complaints will be treated seriously and confidentially. Your child's wellbeing is of paramount importance to us; you can be assured that your child will never suffer adverse treatment for a complaint that you raise.

3. STAGE 1 - SUBMISSION OF INFORMAL COMPLAINTS

- 3.1. We hope and expect that most concerns and complaints can be resolved informally without the need to use the formal stages of the complaints procedure. For example, dissatisfaction about some aspect of teaching or pastoral care or a billing error should be able to be resolved by the relevant member of staff.

Who to contact

- 3.2. If parents have a complaint, they should normally contact their son or daughter's Housemaster/Housemistress or Form Teacher (when relating to pupils in Year 3 or below). In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If a complaint is not resolved to their satisfaction by the Housemaster or Form Teacher, then the Housemaster may need to consult a Head of Department or Deputy Head. Complaints addressed directly to a Head of Department or Deputy Head will usually be referred to the relevant Housemaster or Form Teacher unless the Head of Department or Deputy Head deems it appropriate for someone else to deal with the matter.
- 3.3. An informal complaint will be acknowledged by telephone, email or letter within 3 working days of receipt, indicating the action that is being taken and the likely



timescales. Such action may include an investigation and/or a meeting with the parent.

- 3.4. Wherever appropriate, the College will ask the parent at the earliest stage what they think might resolve the issue.
- 3.5. The parent will usually receive a response to the complaint within 10 working days.
- 3.6. If the parent is dissatisfied with the response to the informal complaint or in the event that the complaint cannot be resolved by informal means, the parent may make a formal complaint under Stage 2 of this procedure.

Informal complaints about the Head of the Upper School or the Head of the Preparatory School

- 3.7. The procedure for dealing with an informal complaint about either Head is set out below:
 - 3.7.1. parents may choose to raise complaints directly with the Head if they feel that the matter is capable of resolution informally. The complaint may be raised orally or in writing. If in writing, the College will not automatically treat the complaint as a formal (Stage 2) complaint and the Head will endeavour to resolve the complaint informally under Stage 1;
 - 3.7.2. the Head will acknowledge informal complaints within 3 working days and will seek to resolve the matter under Stage 1 by means of direct conversation or a meeting with the parents, to be held within 10 working days of the initial complaint;
 - 3.7.3. if the parent is dissatisfied with the Head's response to the informal complaint or in the event that the complaint cannot be resolved by informal means, the parent may make a formal complaint under Stage 2 of this procedure.
 - 3.7.4. alternatively, parents may choose to make their complaint about the Head to the Chair of Council. In this case, the complaint will be treated as a formal complaint under Stage 2 of this procedure.

4. STAGE 2 - FORMAL COMPLAINTS AND APPROACH TO THEIR RESOLUTION

- 4.1. If any complaint cannot be resolved in an informal way, the parents may make a formal complaint in writing to the relevant Head.
- 4.2. The formal complaint should be made by the parent in writing addressed to the relevant Head usually within 15 working days from receipt of the response to their complaint and should include:
 - 4.2.1. the complainant's name and full contact details;



- 4.2.2. details of the complaint and who it has previously been raised with;
 - 4.2.3. a copy of any relevant documents;
 - 4.2.4. and the outcome desired.
- 4.3. The Head involved will decide, after considering the complaint, the appropriate course of action to take including who is best placed to handle the complaint. The complaint will be acknowledged within 3 working days indicating the action that is being taken and the likely timescales.
 - 4.4. In most cases, the Head or his nominee (references in rest of this section to the Head are to the Head or his nominee) will meet or speak to the parent concerned, within 5 working days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
 - 4.5. It may be necessary to carry out further investigations. The Head will ask a senior member of staff, a member of Council or an external investigator to carry out these further investigations. The investigator may request additional information from the parent including what they think might resolve the issue (if not already requested under Stage 1). The investigator may request a conversation and/or a meeting with the parent personally and/or others with relevant knowledge of the circumstances to define the scope of the complaint and/or assist in the investigation.
 - 4.6. Written records will be kept of all meetings and interviews held in relation to the complaint. Where the investigation is conducted by someone else they will prepare a report on the investigation which will usually then be considered by the Head. Personal data may be redacted and names anonymised or cyphered in line with data protection principles.
 - 4.7. Once the Head is satisfied that, as far as is practicable, all of the relevant facts have been established, a decision will be made and the parent informed of this decision in writing within 15 working days of the receipt of the complaint. The Head will give reasons for their decision.

Formal complaints about the Head of College or the Head of the Preparatory School

- 4.8. If the complaint is against the Head of College, the Chair of Council will receive the complaint and will nominate an investigator (a member of Council or an independent advisor) to deal with the complaint in accordance with the communication and investigation process outlined above. The Chair of Council will, once satisfied they have all relevant facts, make a decision which the Chair of Council will communicate to the parent involved with reasons within fifteen working days of the receipt of the complaint.
- 4.9. If the complaint is against the Head of the Preparatory School, the Head of College will receive the complaint and will nominate an investigator (a member of Council or an independent advisor) to deal with the complaint in accordance with the communication and investigation process outlined above. The Head of College will, once satisfied they have all relevant facts, make a decision which the Head of



College will communicate to the parent involved with reasons within fifteen working days of the receipt of the complaint.

- 4.10. If the parent is not satisfied with the Stage 2 decision, they can proceed to Stage 3 of the Formal Resolution procedures (see below) and request that a complaint be referred to the Complaints Panel.

5. STAGE 3 - PANEL HEARING

Complaints panel hearing

- 5.1. If a parent is dissatisfied with the Stage 2 response to the complaint, they can request a complaints panel hearing.
- 5.2. A complaints panel Hearing (**Hearing**) is a Hearing to review those elements of the decision made at stage 2 about which the parent remains dissatisfied. The panel is not obliged to consider any new complaints at this stage.

Role of the complaints panel

- 5.3. The role of the complaints panel is to determine the facts surrounding the complaints that remain in issue by:
- 5.3.1. considering the facts already established by the investigator;
 - 5.3.2 making findings on new documents provided by both parties; and
 - 5.3.3 considering representations made by the parties;
- to review the process and the decisions reached at Stage 2 and to consider, on the balance of probabilities, whether decision(s) at Stage 2 were justified and whether any aspect of the complaint should be upheld.

Composition of the complaints panel

- 5.4. The complaints panel will comprise at least three individuals who have no detailed prior knowledge of the circumstances of the complaint, including at least one panel member who is independent of the management and running of the College.
- 5.5. The parent may ask the Secretary to Council to inform them who has been appointed to sit on the complaints panel ahead of the Hearing. Fair consideration will be given to any reasonable objection to a particular member of the panel.
- 5.6. The Chair of the Governors will usually appoint one of the panel members to be the Chair of the panel throughout the proceedings.



How to request a Hearing

- 5.7. A request for a Hearing must be put in writing to the Secretary to Council at Clifton College - secretarytocouncil@cliftoncollege.com. The request for a Hearing will usually only be considered if the procedure at Stage 2 has been completed.
- 5.8. The written request should usually be made within 15 working days from receipt of the stage 2 decision and should include:
 - 5.8.1. the complainant's name and full contact details;
 - 5.8.2. details of those aspects of the complaint about which the parent remains dissatisfied;
 - 5.8.3. copies of any relevant documents which the parent would like the panel to consider;
 - 5.8.4. the outcome desired;
 - 5.8.5. whether the parent wishes to attend the hearing and if so, whether they propose to be accompanied; and
 - 5.8.6. whether the parent wishes to attend in person or remotely.
- 5.9. If assistance with the request is required, for example because of a disability, please inform the Secretary to Council who will be happy to make appropriate arrangements.
- 5.10. The Secretary to Council will acknowledge the request for a Hearing in writing within 3 working days of receipt.
- 5.11. Every effort will be made to enable the Hearing to take place within 25 working days of receipt of the request.

Planning the Hearing

- 5.12. The Secretary to Council will send written notification to each party of the date, time and place of the Hearing at least ten working days before the date of the Hearing.
- 5.13. Copies of any documents (additional to those specified in 5.5) that the parent wishes the complaints panel to consider should be sent to the Secretary to Council to be received at least 7 working days prior to the Hearing.
- 5.14. The Secretary to Council will circulate a copy of the bundle of documents to be considered by the complaints panel to all parties at least 5 working days prior to the Hearing.



- 5.15. The parent may be accompanied at the Hearing, for example by a relative or friend. The Hearing is an internal proceeding, not legal proceedings, and legal representation is unnecessary.
- 5.16. The parent may be accompanied by an interpreter if they feel that one is needed.
- 5.17. The parent should note that the complaints panel will wish to speak to them directly. If they are accompanied by a legally qualified person, that person will not be permitted to act as an advocate or to address the Hearing unless invited to do so by the Chair of the complaints panel.
- 5.18. A person will be appointed to take a minute of the Hearing.

The Hearing

- 5.19. Unless prior to the commencement of the Hearing, a parent confirms that they are satisfied with the outcome of their complaint, the Hearing will proceed notwithstanding that the parent may decide not to attend. In these circumstances, the complaints panel will consider the parent's complaint in their absence and issue findings on the substance of the complaint.
- 5.20. The panel will usually hear representations from the Stage 2 decision-maker and the parent(s).
- 5.21. The parties shall have the opportunity to ask questions and make comments in an appropriate manner. The Hearing is not a legal proceeding, and the Complaints Panel shall be under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.
- 5.22. All statements made at the Hearing will be unsworn. All present at the Hearing will be entitled, should they so wish, to take their own notes for reference purposes. A clerk appointed by the complaints panel will make a summary of the proceedings which will be circulated for comments. No recordings of the Hearing's proceedings are permitted by either party. All personal electronic devices must be switched off during the Hearing.
- 5.23. All those present are expected to show courtesy, restraint and good manners. If they fail to do so and after due warning, the Hearing may be adjourned or terminated at the discretion of the Chair. Any person who is dissatisfied with any aspect of the way the Hearing is conducted must say so before the proceedings go any further and their comment will be minuted.
- 5.24. The Chair may, at their discretion, otherwise adjourn the Hearing if they consider it appropriate to do so. This may include an adjournment for welfare reasons, to enable additional information to be obtained and/or considered or for the parties to take legal advice on a specific issue arising.
- 5.25. A Hearing before the complaints panel is a private proceeding. No notes or other records or oral statements relating to the complaint or any matter discussed in or



arising from the proceeding shall be published or otherwise made available directly or indirectly to the press or other media, or published or made available on social media.

- 5.26. 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 such further investigation should be carried out. If necessary, the Hearing will be adjourned at the Chair's discretion.
- 5.27. When the Chair of the panel is satisfied that sufficient consideration has been given to the documentation provided and any representations made by the parties, they will conclude the Hearing.

Decision

- 5.28. After due consideration of all the facts which the Panel members consider relevant, the Panel will make findings about each complaint on the balance of probabilities and make recommendations where appropriate. The Panel will write to the parents informing them of its decision and the reasons for it, within 10 working days of the hearing. A copy of the Panel's decision and any recommendations along with the minutes of the complaints panel hearing will be sent by email or letter to the parents and, where relevant, the person complained about as well as to the Chair of Council and the relevant Head.
- 5.29. If appropriate, the College will acknowledge that a complaint is upheld, wholly or in part. In addition it may offer:
 - 5.29.1. an explanation;
 - 5.29.2. an admission that it could have been handled differently or better;
 - 5.29.3. an assurance that the College will try to ensure that the event complained of will not happen again and an explanation of the steps taken in this respect;
 - 5.29.4. to review policies and/or procedures;
 - 5.29.5. an apology.
- 5.30. It is not within the powers of the complaints panel to make any financial award, nor to impose sanctions on staff, pupils or parents, although the complaints panel may make recommendations about these issues.
- 5.31. The decision of the Panel is final. There will be no further opportunity within the College for consideration of the complaint. The completion of Stage 3 represents the conclusion of the College's complaints procedure.



- 5.32. The College will however ensure that the panel decision is recorded appropriately and that any recommendations made in the course of a complaint are properly considered and actioned as appropriate.
- 5.33. The complaints panel's findings and any recommendations including any actions taken to implement them will also be available for inspection on the College premises by the Council and the Head.

6. REVIEW OF A DECISION TO EXPEL OR TO REQUIRE THE REMOVAL OF A PUPIL

- 6.1. Should a parent request a review of a decision to expel or to require the removal of a child under Clause 7 of the Clifton College Terms and Conditions, the review shall be governed by the procedure detailed in Appendix 1.
- 6.2. For the avoidance of doubt a decision to suspend a child will not afford a parent the right to a review unless the suspension is for a period of 11 College days or more.

7. UNREASONABLE COMPLAINTS

- 7.1. We are committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with us. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.
- 7.2. Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, this can be regarded as vexatious and outside the scope of the policy.
- 7.3. Unreasonable complaints are taken seriously by the School as they put a strain on valuable resources and hinder the progress of proper investigations.
- 7.4. We adopt the Department for Education's definition of unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the School, such as if the complainant:
 - 7.4.1. refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
 - 7.4.2. refuses to co-operate with the complaints investigation process;
 - 7.4.3. refuses to accept that certain issues are not within the scope of a complaints procedure;
 - 7.4.4. insists on the complaint being dealt with in ways which are incompatible



with the adopted complaints procedure or with good practice;

- 7.4.5. introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- 7.4.6. makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- 7.4.7. changes the basis of the complaint as the investigation proceeds;
- 7.4.8. repeatedly makes the same or materially similar complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- 7.4.9. refuses to accept the findings of the investigation into that complaint where the School's complaints procedure has been fully and properly implemented and completed;
- 7.4.10. seeks an unrealistic outcome;
- 7.4.11. makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with;
- 7.4.12. uses threats to intimidate;
- 7.4.13. uses abusive, offensive or discriminatory language or violence;
- 7.4.14. knowingly provides falsified information;
- 7.4.15. publishes unacceptable information on social media or other public forums
- 7.5. A complaint may also be considered unreasonable if it is manifestly unjustified, inappropriate, or an improper use of formal procedure.
- 7.6. In assessing this, the School shall have regard to all the circumstances of the case and the nature of the complaint itself rather than the nature of the complainant. In assessing all of the circumstances of the case the School will consider a range of factors including:
 - 7.6.1. whether a complaint has reasonable foundation;
 - 7.6.2. the history and context of the complaint (and any evidence where relevant);
 - 7.6.3. whether the time and cost of investigating the complaint is proportionate



to the issue(s) complained of;

- 7.6.4. whether an investigation of the complaint is likely to cause a disproportionate or unjustified level of disruption, irritation or distress;
- 7.6.5. unexplained delay in raising a complaint or issue;
- 7.6.6. if the purpose of the complaint is to obtain an outcome which is unavailable via the complaints procedure, such as a claim for compensation, damages or a refund of fees paid;
- 7.6.7. any evidence of a complaint being brought for an improper purpose.
- 7.7. Whenever possible, the Head and/or Chair of Council will discuss any concerns with the complainant informally before dismissing a complaint as unreasonable.
- 7.8. If the behaviour continues, the School will write to the complainant explaining that their behaviour is unreasonable and ask them to change it.
- 7.9. For complainants who excessively contact the School causing a significant level of disruption, the School may specify methods of communication and limit the number of contacts by drawing up a communication plan. This will be reviewed after 6 months.
- 7.10. In response to any serious incident of aggression or violence, the School will immediately inform the police and communicate its actions in writing. This may include barring an individual from the School.
- 7.11. It is open to a complainant to request that a complaints panel be convened to determine the single issue of whether the School's dismissal of the complainant's original complaint(s) was justified.

8. CONFIDENTIALITY

- 8.1. Parents can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and all other records relating to individual Complaints will be kept confidential by the College except where access is requested by the Secretary of State for Education or where disclosure is required by the ISI during the course of an inspection or under other legal authority. All those individuals involved in bringing and handling a Complaint are required to respect the confidentiality of the correspondence, statements and records relating to the Complaint.
- 8.2. Any Complaint about the fulfilment of the College's Early Years Foundation Stage (EYFS) requirements will be made available to Ofsted and the ISI on request. See below for the relevant contact details.
- 8.3. Parents of pupils who have made a Complaint about the College's fulfilment of the EYFS requirements will be notified of the outcome of the investigation within 28



days of the Complaint being received.

- 8.4. As concerns and complaints will be dealt with confidentially, complaints are not to be discussed publicly, including via social media.
- 8.5. All parents should be aware that regardless of the nature of a complaint and whether or not it is upheld, parents are not entitled to details of any sanctions imposed on staff, pupils or parents for reasons of data protection and confidentiality.

9. RECORD KEEPING, MONITORING AND REPORTING TO COUNCIL

- 9.1. All records created in accordance with this policy are managed in accordance with the School's policies that apply to the retention and destruction of records.
- 9.2. The School keeps a written record of all formal complaints, including the following:
 - 9.2.1. whether they were resolved at Stage 2 or Stage 3;
 - 9.2.2. the action taken by the School as a result of the complaints (regardless of whether they are upheld);
 - 9.2.3. whether the complaint relates to the School's boarding provision.
- 9.3. The records created in accordance with this policy may contain personal data. The School has a number of privacy notices which explain how it will use personal data about pupils and parents. The privacy notices are published on the School's website.
- 9.4. School staff will ensure that they follow the School's data protection policies and procedures when handling personal data created in connection with this policy. This includes the School's data protection policy and cyber and information security policy.
- 9.5. In accordance with data protection principles, details of individual complaints will be kept only for as long as is considered to be reasonably necessary in the circumstances.
- 9.6. In accordance with the terms of reference of the Independent Inquiry into Child Sexual Abuse all schools are required to retain information which relates to allegations (substantiated or not) of organisations and individuals who may have been involved in, or have knowledge of child sexual abuse or child sexual exploitation; allegations (substantiated or not) of individuals having engaged in sexual activity with, or having a sexual interest in, children; institutional failures to protect children from sexual abuse or other exploitation. Details of any complaints made about such matters will be retained.
- 9.7. Complaints which do not have safeguarding implications will be retained for a minimum of 7 years (a period determined by the 6-year inspection cycle with



allowance for unforeseen circumstances).

- 9.8. Correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested by the Secretary of State or where disclosure is required in the course of an inspection or under other legal authority or court order.
- 9.9. The College will also keep a written record of matters falling short of formal complaints to enable patterns of concern to be monitored. This includes complaints where the parent is satisfied with the College's response at the informal stage and matters which are expressions of worry or doubt over an issue considered to be important by the parent for which reassurances are sought. We recognise that concerns which are only ever dealt with as single incidents may cause the College to overlook emerging or significant trends with wider implications, particularly regarding pupil well-being. We will monitor the types of complaints raised to identify any trends and to feed these into the College's policies and procedures.
- 9.10. As part of the College's governance arrangements, the Council will review the College's written records as part of its annual review to identify any trends over the previous year and for compliance with the College's Complaints procedures.
- 9.11. The status of complaints made and their resolution is reported to and reviewed by Council on a regular basis.

10. REGULATORY FRAMEWORK

- 10.1. This policy has been prepared to meet the College's responsibilities under:
 - Education (Independent College Standards) Regulations 2014 (ISSR)
 - National minimum standards for boarding schools (Department for Education (DfE), September 2022)
 - EYFS statutory framework for group and school-based providers (DfE, January 2024)
 - Education and Skills Act 2008
 - Children Act 1989
 - Childcare Act 2006
 - Data Protection Act 2018 and UK General Data Protection Regulation (UK GDPR)
 - Equality Act 2010.
- 10.2. The following College policies, procedures and resource materials are relevant to this policy:
 - parent contract and terms and conditions.



Regulatory bodies

- 10.3. Parents of children in the College's Early Years Foundation Stage have the right to contact Ofsted and/or ISI if they believe the College is not meeting the EYFS requirements.
- 10.4. Ofsted can be contacted by email at CIE@ofsted.gov.uk, by telephone on 0300 123 4666. The Ofsted Complaints Procedure can be found [here](#).
- 10.5. ISI can be contacted by email at concerns@isi.net, by telephone on 0207 600 0100 or at the following address:

Independent Schools Inspectorate
CAP House
9 - 12 Long Lane
London
EC1A 9HA
- 10.6. To raise a concern with the Department for Education please fill out the form that can be found on [this page](#).

11. PUBLICATION AND AVAILABILITY

- 11.1. This procedure is published on the College website.
- 11.2. This procedure is available in hard copy on request.
- 11.3. A copy of this policy is available for inspection from the College office during a working day.
- 11.4. This policy can be made available in large print or other accessible format if required and the College will make other reasonable adjustments required to enable complainants to access and complete this procedure, such as holding meetings in accessible locations.
- 11.5. Information regarding the number of complaints registered under the formal procedure of this policy during the preceding school year is as stated.

There were 7 formal complaints registered with the College in the 2023-24 College year.

12. TRAINING

- 12.1. The College ensures that regular guidance and training is arranged on induction and at regular intervals thereafter so that staff and volunteers understand what is expected of them by this policy and have the necessary knowledge and skills to carry out their roles.



- 12.2. The level and frequency of training depends on the role of the individual member of staff.
- 12.3. The College maintains written records of all staff training.

13. **APPENDIX 1 EXPULSION AND REMOVAL: REVIEW PROCEDURE**

- 13.1. A pupil or their parents may request a review of the Head's decision to expel or require the removal of a pupil or where a decision has been made to impose the disciplinary sanction of suspension on a pupil for 11 working days or more or where such suspension would prevent a pupil from taking a public examination.

Role of the Panel

- 13.2. The role of the panel is to consider:
 - 13.2.1. **Whether, on the facts, the decision-making relating to the breach of College's policy/ies and sanction imposed followed a fair process:**
whether an appropriate procedure was followed allowing the facts of the case to be sufficiently proved when the decision was taken to expel or require the removal of the pupil. The civil standard of proof, namely, "the balance of probability", will apply. Observance of the College's relevant policies and rules will be taken into account but may not be determinative in this respect. Include the new information in the bundle; or
 - 13.2.2. **Whether the sanction was within the range of reasonable responses:**
whether it was within the range of reasonable responses in respect of the breach of discipline or the other events that are found to have occurred and the legitimate aims of the College's policy in that respect.
- 13.3. In addressing the matters above, the Panel will consider the documentation provided by the parties, representations made by the parties and any other factors which the panel considers to be relevant in order to consider whether the sanction was reasonable.
- 13.4. The panel will determine whether to uphold the Head's decision or refer the decision back to the Head with recommendations so that they may consider the matter further.

Composition of the Panel

- 13.5. The panel will comprise at least 3 individuals who have no detailed prior knowledge of the case and will not include the Chair of Council. With the exception of the Chair of Council, Members of Council not appointed to the Panel will not be provided with personal information about the case.
- 13.6. The parents may ask the Secretary to Council to inform them who has been appointed to sit on the panel ahead of the review hearing. Fair consideration will be given to any reasonable objection to a particular member of the panel.



How to request a Review

- 13.7. A request for a Hearing must be put in writing to the Secretary to Council at Clifton College, 32 College Road, Bristol, BS8 3JH. The request for a Hearing will usually only be considered if the procedure at Stage 2 has been completed.
- 13.8. The request should include:
 - 13.8.1. a copy of all relevant documents and full contact details;
 - 13.8.2. the grounds on which the parents are asking for a review and the outcome desired;
 - 13.8.3. a list of the documents which the parents believe to be in the College's possession and wish the Panel to consider; and
 - 13.8.4. whether the parents propose to attend the hearing, and, if so, to be accompanied; and
 - 13.8.5. whether the parent wishes to attend in person or remotely.
- 13.9. If assistance with the request is required, for example because of a disability, please inform the Secretary to Council who will be happy to make appropriate arrangements.
- 13.10. The Secretary to Council will acknowledge the request for a Hearing in writing within 3 working days of receipt.
- 13.11. Every effort will be made to enable the Hearing to take place within 25 working days of receipt of the request.

Pupil's status pending a review

- 13.12. Following a request for a review, the Pupil will be suspended from the College until the review procedure has completed.
- 13.13. While suspended the pupil shall remain away from the College and shall not have the rights to enter College premises or attend College events without written permission from the Head.
- 13.14. **Planning the Review**
- 13.15. The Secretary to Council will be responsible for arranging the review which will usually involve a review hearing at which the panel will consider relevant documents and hear from the Head, the parent(s) and the pupil.
- 13.16. The Secretary to Council will send written notification to each party of the date, time and place of the Hearing at least ten working days before the date of the Hearing.



- 13.17. Copies of any documents additional to those specified in the request for a review that the parents wish the review panel to consider should be sent to the Secretary to Council to be received at least 7 working days prior to the review.
- 13.18. On receipt of new information not previously available to the Head before their decision was made, the Secretary to Council should contact the Chair of the Review Panel who will decide whether to:
 - 13.18.1. include the new information in the bundle; or
 - 13.18.2. omit the information if not relevant to the grounds for review; or
 - 13.18.3. make further enquiries of the parents or the pupil about the information; or
 - 13.18.4. refer the information to the Head for their consideration as to whether the decision should be revisited.
- 13.19. The Secretary to Council will circulate a copy of the bundle of documents to be considered by the review panel to all parties including the Head at least 5 working days prior to the Hearing.
- 13.20. The parent may be accompanied at the review hearing, for example by a relative or friend. The review hearing is an internal proceeding, not legal proceedings, and legal representation is unnecessary.
- 13.21. The parent may be accompanied by an interpreter if they feel that one is needed.
- 13.22. The parent should note that the review panel will wish to speak to them directly. If they are accompanied by a legally qualified person, that person will not be permitted to act as an advocate or to address the review hearing unless invited to do so by the Chair of the review panel.
- 13.23. A person will be appointed to take a minute of the review hearing.

Review Hearing

- 13.24. The review hearing will be conducted in an informal but fair and unbiased manner.
- 13.25. The parties shall have the opportunity to ask questions and make comments in an appropriate manner. The review hearing is not a legal proceeding, and the review panel shall be under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.
- 13.26. All statements made at the review hearing will be unsworn. All present at the review hearing will be entitled, should they so wish, to take their own notes for reference purposes. A clerk appointed by the review panel will make a summary of the proceedings which will be circulated for comments. No recordings of the review hearing's proceedings are permitted by either party. All personal electronic devices must be switched off during the review hearing.
- 13.27. All those present are expected to show courtesy, restraint and good manners. If they fail to do so and after due warning, the review hearing may be adjourned or



terminated at the discretion of the Chair. Any person who is dissatisfied with any aspect of the way the review hearing is conducted must say so before the proceedings go any further and their comment will be minuted.

- 13.28. The Chair may, at their discretion, otherwise adjourn the review hearing if they consider it appropriate to do so. This may include an adjournment for welfare reasons, to enable additional information to be obtained and/or considered or for the parties to take legal advice on a specific issue arising.
- 13.29. A hearing before the review panel is a private proceeding. No notes or other records or oral statements relating to the complaint or any matter discussed in or arising from the proceeding shall be published or otherwise made available directly or indirectly to the press or other media, or published or made available on social media. The requirement is without prejudice to the parties' right to refer to the Panel's decision in any subsequent legal proceedings.
- 13.30. When the Chair of the review panel is satisfied that sufficient consideration has been given to the documentation provided and any representations made by the parties, they will conclude the review hearing.

Decision

- 13.31. The review panel's decision and any recommendations will be notified in writing, with reasons, to the Head and the parents by the Chair of the review panel or the Chair of Council within 10 working days of the review hearing.
- 13.32. The Head will provide their response to those recommendations, if appropriate, in writing within 3 working days.
- 13.33. In the absence of a significant procedural irregularity, the Head's decision will then be final.
- 13.34. If the Head's decision is upheld then the decision will be final.
- 13.35. If the Head is asked to reconsider their decision, the pupil will remain suspended until this has been done.