



Complaints Policy

Reviewed by	Nathan Slater, Headteacher
Checked by	Daniel Pallett, Executive Headteacher
Date reviewed:	September 2026
Next Review date:	September 2027, or sooner if legislation or guidance changes

Contents

Statement of intent

1. Legal framework

2. Definitions

3. Eligibility and scope

4. Timescales

5. Informal stage: raising a concern

6. Formal stage

7. Panel hearing

8. Complaints about the use of personal data

9. Recording and confidentiality

10. Contact details

11. Monitoring and review

12. Formal complaints received

Appendix 1 – Parent guide to the complaints process

Statement of intent

Jasmine Hall School aims to resolve all complaints at the earliest possible stage and is dedicated to ensuring all complaints are managed sympathetically, fairly and efficiently. We value our relationships with families highly, and we see every concern as an opportunity to understand a child's experience better and to improve what we do.

Any complaint or concern will be taken seriously, whether raised formally or informally, and the appropriate procedures will be followed. This policy covers complaints about a member of staff, or about the school as a whole, relating to any aspect of the school or the provision of its facilities or services.

The school will ensure the complaints procedure is:

- easily accessible and published on the school's website, and available in other formats on request;
- simple to understand and to use;
- impartial and fair to all parties involved;
- respectful of confidentiality duties;
- fairly investigated, by someone not involved in the matters complained about, and by an independent person where necessary;
- used to address all issues and provide appropriate and effective responses; and
- continuously improved, using what we learn from complaints.

Parents will be assured that their child will not be treated less favourably because a complaint has been raised.

1. Legal framework

This policy has due regard to legislation including, but not limited to:

- the Education and Skills Act 2008;
- the Education (Independent School Standards) Regulations 2014, in particular Part 6 (provision of information) and Part 7 (manner in which complaints are handled);
- the Children and Families Act 2014;
- the Equality Act 2010;
- the UK General Data Protection Regulation (UK GDPR); and
- the Data Protection Act 2018, including section 164A (complaints by data subjects), in force from 19 June 2026.

It also has due regard to related guidance including, but not limited to:

- DfE (2026) 'Independent school standards: guidance for independent schools' (April 2026);
- DfE (2026) 'Keeping children safe in education'; and
- DfE and DHSC (2015) 'Special educational needs and disability code of practice: 0 to 25 years'.

This policy should be read alongside the school's:

- Child Protection and Safeguarding Policy;
- Staff Code of Conduct and procedures for managing allegations against staff;
- Data Protection Policy and Records Management Policy; and
- Grievance Policy.

2. Definitions

For the purposes of this policy:

- A complaint is an expression of dissatisfaction about actions taken, or a perceived lack of action, by the school or a member of staff.
- A concern is an expression of worry or doubt where reassurance is needed. Concerns will be taken seriously and dealt with under this policy.
- A complainant is a person who has raised a concern or complaint.
- A parent includes anyone with parental responsibility for a pupil or who has care of a pupil (section 576, Education Act 1996). For a child looked after, this may include the local authority, the child's social worker, foster carers or residential carers.
- A grievance is an issue raised by a member of staff. Grievances are dealt with under the Grievance Policy, not this policy.
- School days are days on which the school is open to pupils. Timescales are in school days, except the 30-day acknowledgement deadline for data protection complaints in section 8, which is in calendar days. A complaint received during a school holiday will be treated as received on the first school day afterwards, although the school will respond sooner where it can. Any matter that raises a safeguarding concern will be acted on immediately, whenever it is received.

3. Eligibility and scope

Parents of pupils currently being educated at the school may make a complaint under this policy. All complaints will be treated seriously and confidentially.

This policy does not cover complaints made by:

- parents of pupils who have left voluntarily or as a result of being excluded, except where the complaints process was started while the pupil was still being educated at the school; or
- prospective pupils and their parents, including complaints about the failure to admit a pupil.

Matters dealt with under other procedures

Some matters are handled through other routes. The school will explain which route applies and help the complainant to use it.

- Safeguarding concerns are dealt with immediately under the Child Protection and Safeguarding Policy. Where a complaint raises a safeguarding concern, safeguarding procedures take priority, and the complaint may be paused while they are followed. The complainant will be told if this happens, as far as it is appropriate to do so.

- Allegations that a member of staff has harmed, or may pose a risk of harm to, a child are dealt with under Part 4 of 'Keeping children safe in education', which may involve the Local Authority Designated Officer (LADO).
- The content of an EHC plan, or local authority decisions about placement, funding or assessment, are the responsibility of the local authority. These may be taken up with the local authority and, where applicable, the First-tier Tribunal (SEND). The school will support families in doing this where appropriate.
- Complaints about how the school uses personal data are dealt with as set out in section 8.

Complaints from pupils

Although the Independent School Standards do not require a complaints procedure for pupils, the school chooses to provide one. Pupils may talk to any member of staff they trust about a situation in school or outside it. A pupil may simply need a trusted adult to talk a situation through with and may not be making a formal complaint.

Many of our pupils have autism and speech, language and communication needs. Staff will support pupils to express a concern in the way that works best for them, for example through visual supports, a familiar adult, their preferred communication method, or an independent advocate. Pupils are reminded that some information may need to be shared with other agencies, such as children's social care, to keep them safe.

All complaints made by pupils will be recorded in the complaints log, together with the school's response. Where a complaint suggests a child protection concern, it will be referred in line with the Child Protection and Safeguarding Policy.

If a pupil's complaint is serious, their parents or carers (and, for a child looked after, their social worker) will be told about the complaint and its outcome. Some complaints may be referred to other agencies or to the local authority, and a meeting may be arranged to discuss the issues further.

A pupil may ask to speak to an adult from an outside agency. Wherever possible, the school will put the pupil in contact with a representative of the appropriate agency, and the referral will be noted in the pupil's file. We will aim to resolve a pupil's complaint within 10 school days of it being made.

4. Timescales

Complaints should be made as soon as possible after an issue arises, so that it can be addressed promptly. Complaints should normally be raised within three months of the incident. Complaints made after this time will not be automatically refused, and exceptions will be considered.

Timescales for each stage are set out below. If a timescale needs to change, for example because an investigation is complex or a key person is unavailable, all parties will be told promptly, with the reason and the new timescale.

Stage	Action	Timescale
Informal (section 5)	Acknowledgement of a written concern	Within 2 school days
	Aim to resolve	Within 5 school days
Formal (section 6)	Acknowledgement	Within 2 school days of receipt
	Meeting with the headteacher (or the Chair of the Proprietor Body, where appropriate)	Within 5 school days of acknowledgement
	Written decision with reasons	Within 10 school days of receipt
Panel hearing (section 7)	Request for a hearing	Within 10 school days of the formal decision
	Hearing held	Normally within 10 school days of the request
	Documents shared with all parties	At least 5 school days before the hearing
	Written findings and recommendations	Within 5 school days of the hearing

5. Informal stage: raising a concern

The school will try to resolve most concerns informally. A concern may be raised in person, by telephone or in writing, and should be raised with the person shown below:

Type of concern	Raise with
Educational issues	The relevant teacher. The concern will be passed to a more senior member of staff if appropriate.
Pastoral care, behaviour, financial and other matters	The headteacher
Concerns about the headteacher	Mandy Clarke, on behalf of the proprietor (contact details in section 10)
Concerns about the Executive Headteacher	Mandy Clarke, on behalf of the proprietor (contact details in section 10)

A written record will be kept of all concerns and the date on which they were received. A concern made in writing will be acknowledged by telephone or in writing within 2 school days.

If a concern is not resolved within 5 school days, or the complainant is not satisfied with the response, the complainant will be told how to make a formal complaint under section 6.

6. Formal stage

A formal complaint should be made in writing to the headteacher. Complaints about the headteacher or the Executive Headteacher should be sent to Mandy Clarke, on behalf of the proprietor. The school will help any complainant who needs support to put their complaint in writing.

The complaint will be acknowledged by telephone or in writing within 2 school days of receipt. The acknowledgement will confirm that action is being taken and give the date by which the complainant will receive a written response.

The headteacher will meet the complainant within 5 school days of acknowledging the complaint to discuss the matter. The meeting may take place in person, by telephone or online, as the complainant prefers. If the complaint is about the headteacher or the Executive Headteacher, the meeting will be with Mandy Clarke or a person she nominates.

During the meeting, the headteacher will try to reach a resolution. Further investigation may be needed, which may be carried out by the headteacher or by another designated member of staff. Anyone carrying out an investigation will not have been directly involved in the matters complained about. If the complaint is about the headteacher or the Executive Headteacher, the proprietor will arrange any investigation.

Written records will be kept of all meetings, interviews and other communications relating to the complaint.

Once the facts are established, the headteacher (or, where the complaint is about the headteacher or Executive Headteacher, Mandy Clarke on behalf of the proprietor) will write to the complainant setting out:

- each of the points of complaint and what was found;
- the decision on each point and the reasons for it;
- any action the school will take as a result; and
- how to request a panel hearing if the complainant is not satisfied.

The complainant will receive this written decision within 10 school days of the school receiving the complaint. Where there are exceptional circumstances causing a delay, the complainant will be told before the deadline and given a new timescale.

7. Panel hearing

If the complainant is not satisfied with the outcome of the formal stage, they may ask for their complaint to be heard by a panel. The request should be made in writing to Mandy Clarke, on behalf of the proprietor, within 10 school days of the date of the formal decision. Late requests will be considered where there is a good reason.

The panel will be appointed by or on behalf of the proprietor and will consist of at least three people who were not directly involved in the matters detailed in the complaint. One panel member will be independent of the management and running of the school. This means they are not a member of the school's workforce or the proprietor body and are not otherwise

involved in the management of the school (for example, a solicitor who regularly acts for the school would not be independent).

The hearing will be arranged as soon as practicable, and normally within 10 school days of the request. Reasonable arrangements will be made so that the complainant can attend, including any adjustments they need. If the complainant chooses not to attend, the hearing will still go ahead.

The complainant may be accompanied at the hearing if they wish. This does not give a right to legal representation, although the school will consider requests for this on a case-by-case basis.

The panel may ask for further details of the complaint or related matters before the hearing. All documents the panel will consider will be shared with all parties at least 5 school days before the hearing.

After considering all the relevant facts, the panel will make findings and recommendations. It may dismiss the complaint in whole or in part, uphold the complaint in whole or in part, and recommend changes to the school's systems or procedures.

The panel's findings and recommendations will be sent in writing to the complainant and, where relevant, the person complained about, within 5 school days of the hearing. A copy will be sent to the headteacher and the proprietor, and a copy will be kept available for inspection on the school premises by the proprietor and the headteacher.

The panel's decision is final and concludes the school's complaints procedure.

If a parent believes the school has not followed its complaints procedure or is not meeting the Independent School Standards, they may contact the Department for Education or Ofsted. The Secretary of State cannot compel the school to change its decision on an individual complaint, but can take regulatory action to make sure future complaints are handled properly.

8. Complaints about the use of personal data

From 19 June 2026, section 164A of the Data Protection Act 2018 gives people a right to complain to the school about how it uses their personal data. These complaints will be handled under this policy, adapted as follows:

- complaints can be made in writing or by email to the school's data protection lead. A complaint form is available from the school office on request, but its use is not required;
- the school will acknowledge the complaint within 30 calendar days of receiving it;
- the school will take appropriate steps to investigate without undue delay and keep the complainant informed of progress; and
- the school will tell the complainant the outcome promptly.

Complaints about personal data should be sent to the school's data protection lead Angie Henton (HR Manager and DPO). If the complainant remains dissatisfied, they may complain to the Information Commissioner's Office (ico.org.uk).

9. Recording and confidentiality

A written record will be kept of every complaint made under the formal stage of this procedure, showing:

- whether it was resolved following the formal stage or proceeded to a panel hearing; and
- the action taken by the school as a result, whether or not the complaint was upheld.

The school will also keep records of informal concerns and pupil complaints. Records may include the date the issue was raised, the name of the complainant and their child, a description of the issue, records of the investigation, witness statements, the member of staff responsible at each stage, and copies of all correspondence.

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 section 109 of the Education and Skills Act 2008 requests access to them. Records will be kept securely and retained in line with the Records Management Policy.

In line with paragraph 32(3)(f) of the Independent School Standards, the school will tell parents on request how many complaints were registered under the formal procedure during the preceding school year.

10. Contact details

Headteacher	Nathan Slater, Jasmine Hall School, 35 Ashbourne Road, Derby, DE22 3FS. Telephone 01332 412546. Email nathan.slater@smoothstonecare.co.uk
Chair of the Proprietor Body	Mandy Clarke, on behalf of Smoothstone Care and Education Ltd. Mandy.clarke@smoothstonecare.co.uk
Data protection lead	Angie Henton angie.henton@smoothstonecare.co.uk

11. Monitoring and review

The headteacher will review the complaints log each term to identify themes and learning and will report these to the Executive Headteacher and the proprietor. Learning from complaints will be shared with staff, without identifying individuals, where it can improve practice.

This policy will be reviewed annually by the headteacher and Executive Headteacher. Changes will be approved by the proprietor before the updated policy is published on the school's website. The next scheduled review is September 2027.

12. Formal complaints received

In accordance with Part 6, paragraph 32(3)(f), of the Education (Independent School Standards) Regulations 2014, Jasmine Hall School makes available the number of complaints registered under its formal complaints procedure during the preceding school year. Academic year 2025/26: 0 formal complaints were registered.

This figure will be updated annually.

Appendix 1 – Parent guide to the complaints process

We want to resolve concerns fairly and promptly. Raising a complaint will not affect how your child is treated.

Stage 1 – Raise a concern informally

Speak to your child's teacher or the Headteacher, Nathan Slater. You can raise your concern in person, by telephone or in writing.

We will acknowledge written concerns within **2 school days** and aim to resolve them within **5 school days**.

Stage 2 – Make a formal complaint

If your concern remains unresolved, write to Nathan Slater at

nathan.slater@smoothstonecare.co.uk.

We will acknowledge your complaint within **2 school days**, arrange a meeting within **5 school days of acknowledgement** and provide a written decision within **10 school days of receiving your complaint**.

Complaints about the Headteacher or Executive Headteacher should be sent to Mandy Clarke, Chair of the Proprietor Body, at Mandy.clarke@smoothstonecare.co.uk.

Stage 3 – Request a panel hearing

If you remain dissatisfied, write to Mandy Clarke within **10 school days of the formal decision** to request a panel hearing.

The panel will include at least three people who were not directly involved in the matters complained about, including one independent of the school's management and running. You may attend and bring someone to accompany you.

The hearing will normally take place within **10 school days of your request**. Written findings and recommendations will be provided within **5 school days of the hearing**.

Help and accessibility

Please contact the school office on **01332 412546** if you need help putting your complaint in writing, an accessible format or reasonable adjustments. If a timescale needs to change, we will explain why and provide a revised timescale.

This guide summarises the process. The full Complaints Policy sets out the detailed arrangements, including separate requirements for data protection complaints.