



# CARGILFIELD

## Concerns and Complaints Policy for Cargilfield School

### Statement of Intent

Cargilfield has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a Concern or Complaint, they can expect it to be treated by the School in accordance with this policy. It is the School's wish to be a community that is able to listen and respond in a positive, appropriate, and sympathetic fashion when any Concern is raised or Complaint is brought. Likewise, we recognise the importance of feedback in helping us to improve the quality of our service.

Any Concern or Complaint will be handled seriously, sensitively and appropriately, in accordance with this Policy. Cargilfield recognises that an expression of Concern, or a simple query, has the potential to become contentious if it is perceived that it has been brushed aside. However, issues with the potential to become difficult may be resolved if they are handled well at the initial stage.

We recognise that, very often, there can be more than one perspective of any particular issue and we will do what we can to allow all relevant parties to have their views heard and considered.

### What Constitutes a Concern or Complaint

A Concern is an instance where a parent informs the School, whether orally or in writing, that the School has done something wrong, failed to do something that it should have done, or where it has acted unfairly in its dealing with a pupil. A Concern may be raised about the School as a whole, a specific department or activity, or an individual member of staff. This list is not exhaustive, and the School will treat any expression of dissatisfaction, whether real or perceived, as a Concern. Any member of staff receiving a Concern should share this and their response with a member of the Senior Management Team. A Concern is dealt with under Stage One of this Policy and is considered to be an informal complaint.

A Complaint is any instance where a parent notifies the School, in writing (via letter or email) to the Head, that the School has done something wrong, or failed to do something that it should have done. It is anticipated that in most cases any Complaint will have first been raised as a Concern and Stage One of this Policy will have been completed.

### General Principles

The purpose of this policy is to respond to complaints made by parents of children at Cargilfield. There is a separate policy for children who are unhappy about any aspect of their experience at School: '*What to do if you are concerned about something?*'. For staff, there are grievance

procedures outlined in the Staff Handbook or the Whistleblowing Policy. In the event of complaints made by members of the public (such as local residents or visiting parents from other schools), the general principles of this Policy will be followed, adapting it as necessary.

This Policy applies solely to parents of pupils currently registered at the School. The Policy does not apply to parents of prospective pupils and only applies in relation to past pupils, if the complaint was initially raised when the pupil was still a pupil at the School.

We expect any complainant to engage with the process in a timely fashion and to attend meetings to seek to resolve the problem and, where appropriate, to provide evidence or additional detail to explain the Concern or Complaint.

The way in which the Concern or Complaint is addressed will vary in accordance with the nature of the Concern or Complaint and will be proportionate to the issues that have been raised. The School may need to set a clear remit and timetable to any investigation but will always seek to be transparent in the way in which it proposes to deal with any Concern or Complaint raised under this Policy.

Any Complaint made anonymously will generally not be considered under this Policy although the School will always record anonymous complaints and, may, at its discretion and where there is sufficient information to do so, investigate the circumstances.

A Complaint should be made within three months of the relevant incident or circumstances that give rise to it. A Complaint may be considered outside this timeframe only in exceptional circumstances.

Where this Policy provides for a particular Stage to be undertaken by a particular member of staff at the School and that person is unavailable for any reason, the School may delegate or transfer the responsibility for dealing with the matter to such other members of staff or external resource as it considers appropriate.

Should there be a necessary delay in responding within any timeframe mentioned in this Policy, all parties involved will be kept informed and a reason given.

Where this Policy refers to parents of a pupil, it shall be deemed to include guardians or such other persons that legally have responsibility for the welfare of the pupil, as appropriate.

Where a complaint is made about the behaviour of a member of staff since these may include sensitive personal and confidential data complainants should not expect to be informed of the details of any disciplinary procedure which might be involved.

While the School will always seek to follow the terms of this Policy, there may be circumstances where it is appropriate to step outside it. It may, for instance, be thought helpful to invite a Governor to arrange a meeting with a complainant to seek to facilitate a resolution. Similarly, there may be occasions where the School will wish to offer to engage in mediation using either internal or external mediators.

Timescales, in this Policy, are set out in terms of days. Days shall mean Monday through Friday, in term-time.

## **Overview**

The procedure for raising a Concern or bringing a Complaint is set out below and comprises the following three stages:

- Stage One: Informal resolution for a Concern
- Stage Two: Formal resolution of Complaint

· Stage Three: Panel hearing in relation to a Complaint

### **Stage One - Informal Resolution for Concerns**

It is hoped that most Concerns will be resolved quickly and informally.

If parents wish to raise a Concern about an educational issue (relating to the classroom or the curriculum) or a pastoral or co-curricular issue (relating to matters outside the classroom), they should contact their child's Form Teacher. In many cases, the matter will be resolved straightaway.

If the Form Teacher cannot resolve the matter, it may be necessary to consult the relevant Head of Department, or one of the Deputy Heads.

A Concern relating to a financial matter should always be made to the Bursar.

A Concern raised directly with a Deputy Head will usually be referred for further action to the pupil's Form Teacher unless the Deputy Head deems it appropriate for the Concern to be dealt with in some other way.

When dealing with any Concern the School will make a written record to include the relevant details and the date on which it was raised. Wherever possible, the School will acknowledge a **written** Concern by telephone, email, or letter within five days of receipt during term time and as soon as practicable in the school holidays. Should the matter not be resolved within a reasonable period (one not normally exceeding three term time weeks), or if the Concern cannot be brought to a satisfactory resolution, then the parents will be advised that they may choose to proceed with a Complaint in accordance with Stage Two of this Policy.

### **Stage Two - Formal Resolution**

If a Concern cannot be resolved on an informal basis, then the parents should make a Complaint in writing (via letter or email) to the Head. Full written details of the nature of the Complaint with any relevant materials or documents should be sent by the parents to the Head. This should include:

- Clarification that this is a Formal Complaint.
- A description of the circumstances surrounding the Complaint, what you have already done about this and any response that you have received.
- An explanation as to what you would like the School to do address the matter.

The Head will acknowledge the Complaint within five days of receiving it. In most cases and wherever possible, within ten days of receiving the Complaint, the Head will contact the parents concerned to discuss the matter. If possible, a resolution will be reached at this stage.

The nature of the Complaint may require the Head to carry out further investigations. The Head may appoint an investigator. He may ask any member of staff to act as investigator or may choose to appoint an external investigator. He may involve one or more of the School's Governors and may suggest that the Complaint be dealt with in a mediation.

If a Complaint is received within two weeks of term ending, the Complaint is likely to take longer to resolve owing to school holidays and the unavailability of staff.

After full consideration of the Complaint, including discussions with all relevant parties and the completion of any necessary investigations, the Head will determine the course of action to be taken by the School.

Subject to the School's Data Protection and document retention policies the School will keep a written record of all meetings and interviews held in relation to any Complaint. Wherever possible, the parents will be informed in writing of the decision of the Head within twenty days of the Complaint being made. The Head will give reasons for the decision.

If a Complaint is made against the Head, the complaint should be submitted in writing to the Chair of Governors, c/o the Bursar (as Clerk to the Governors), at the School's principal address. Such a Complaint will be dealt with under Stage Two of this Policy with the Chair adopting the role normally identified for the Head or by making such other proportionate, reasonable and suitable alternative arrangements as are considered necessary.

If the parents are not satisfied with any decision reached under Stage Two of this Policy, they should proceed to Stage Three.

### **Stage Three - Panel Hearing**

If the parents seek to invoke Stage Three, they will be referred to the Bursar (as Clerk to the Governors) for a Panel Hearing. Requests will normally only be considered if the parents have completed Stage Two of this Policy and then have made a request in writing to the Clerk to the Governors within ten days of receiving the Stage Two decision from the Head. The parents should clearly set out the reasons for their dissatisfaction with the Stage Two decision and the grounds for their Complaint. The parents should include with their letter a list of documents or materials that they wish the Panel to consider, this should be provided to the Bursar no less than 48 hours prior to the Panel Hearing.

The Clerk will acknowledge the parents' request in writing within five days of receipt and will call a Panel Hearing on behalf of the Chair of Governors. A Panel Hearing will be called as soon as is reasonably practicable, normally within twenty days of receiving the parents' request. The Panel will not normally sit during the school holidays.

Save in exceptional circumstances, the Panel will not consider any new area of Complaint which has not been raised at Stage Two.

The Chair of Governors may nominate members of the Panel. The Panel will consist of at least three people not previously involved in the matters detailed in the Complaint, one of whom shall be independent of the management and the running of the School (this could include a former governor but should not be anyone with a current role at the School). The Chair shall nominate the chairperson of the Panel.

If the Complaint is made against the Chair of Governors, the Deputy Chair of Governors shall adopt the role set out for the Chair of Governors in Stage Three of this Policy.

If the Panel deems it necessary, it may require that further particulars of the Complaint or any related matter be supplied in advance of the Panel Hearing. Copies of such particulars shall be supplied to all parties due to attend no later than five days prior to the hearing.

The parents that have made the Complaint may be accompanied to the Panel Hearing by one other person; this may be a relative, teacher or friend. As this Policy is conducted under the auspices of the School's Policies and Procedures, legal representation is not thought to be either advisory or necessary. However, should the parents wish to be accompanied by a legal advisor, the School must be notified in writing at least five days before the hearing and the School will then be entitled to have its own legal adviser in attendance at the hearing.

If possible, the Panel will resolve the Complaint immediately without the need for further investigation.

If the Panel decides that further investigation is necessary, the hearing may be adjourned.

Where further investigation is required, the Panel will decide how it should be carried out.

After due consideration of all facts it considers relevant the Panel will reach a decision which shall be made within ten days of the hearing or as soon as reasonably practicable and may make recommendations.

Having reached a decision, the Panel (through the Clerk to the Governors) will write to the parents informing them of its decision and the reasons for it as soon as reasonably possible. The Panel's findings and any recommendations will also be sent in writing to the Head, the Governors and, where relevant, the person(s) about whom the Complaint was made. Such findings and recommendations shall be made available for inspection on the School's premises.

The decision of the Panel will be final.

### **Confidentiality**

Parents can be assured that all Complaints will be treated seriously and confidentially. It may, from time to time, be necessary for the School to share details of a Complaint to members of the School community to facilitate a full and thorough investigation. By making a Complaint, the parent(s) agree to this sharing of information. Likewise, there may be occasions where the nature of the Complaint involves a requirement to pass details to relevant regulatory bodies. Correspondence, statements, and records will be kept confidential by the Head's Office and will only be made available, as and when required, to a body conducting an inspection in line with the School's obligations to Education Scotland or the Care Inspectorate; or where any other legal obligation prevails whether under Freedom of Information requests or otherwise.

A summary of Complaints, in a format which ensures confidentiality, is brought to the attention of the Governors at their termly meetings.

### **Records of Complaints**

The School maintains a 'Complaints & Concerns Log', which will be managed by the Head and the Bursar. This log will be a record of key Complaint and Concern information and brief details of the procedure followed and will state whether the matter was resolved. The log will also record any action(s) taken by the School as a result of any such Complaint or Concern.

As well as the aforementioned log, full written records will be kept of every Complaint, to include all correspondence, statements, and other documents or materials. These written records will be kept for three years after the determination of a Complaint and will be kept confidential except when the School is required to disclose information by:

- Education Scotland;
- The General Teaching Council for Scotland
- Police Scotland
- the Care Inspectorate; or
- as otherwise required by law.

### **Review**

The Senior Management Team of the School will review the Complaints & Concerns log at least once in each academic year. Stage One concerns will be kept under on-going review by the Head. There is also a governor with specific oversight of complaints.

## APPENDIX 1: Time Scales (for Guidance Only)

Timescales of each stage of the procedure are set out below. It should be noted these are the maximum time scales within which the School would reasonably expect a Concern or Complaint to be resolved or otherwise determined.

Timescales, in this Policy, are set out in terms of days. Days shall mean Monday through Friday, in term time. Complaints received during the school holidays may be expected to take longer.

### Stage One – Informal Resolution for Concerns

Day 1 – Concern expressed.

Day 5 – School acknowledges the Concern in writing.

Day 10 – Concern resolved, or parents advised to proceed to Stage Two.

### Stage Two – Formal Resolution

Day 1 – written Complaint received by the Head.

Day 5 – Head acknowledges receipt of Complaint.

Day 10 – Head has been in contact with parents to discuss Complaint.

Day 20 – Headmaster writes to parents to confirm decision.

Parents have 10 days from receipt of the Headmaster's Stage Two decision letter to request a Stage Three Panel Hearing.

### Stage Three – Panel Hearing

Day 1 – Panel Hearing request received by the Clerk to Governors.

Day 5 – Clerk acknowledges receipt of appeal request.

Day 20 – Panel Hearing completed.

Day 30 – Clerk to the Governors will write to parents informing them of the outcome.

Policy Updated: 2025  
Rob Taylor, Head

Date of Update	Updated (U) Reviewed (R)	How was updated disseminated?	Parents Informed	Policy on Website / App
March 2025	Updated	Internal post / Website	No	Yes