



# SENDSCOPE

Independent School

## Admissions Complaints Procedure

<b>POLICY WRITTEN BY:</b>	<b>SENDSCOPE Director Jacqueline Bebbington</b>
<b>DESIGNATED ADMISSIONS LEAD:</b>	<b>Natie Walsh</b>
<b>DATE POLICY PREPARED:</b>	<b>May 2022</b>
<b>DATE POLICY REVIEWED:</b>	<b>September 25</b>
<b>DATE FOR NEXT REVIEW:</b>	<b>September 26</b>

## **1. Purpose and scope**

- 1.1. This procedure sets out how parents / carers or prospective students may raise complaints about admissions matters (including the application, assessment, decision-making, waiting lists, communication, etc.).
- 1.2. It ensures that complaints are considered fairly, consistently, promptly and in accordance with relevant legislation, regulations and best practice.
- 1.3. This procedure applies only to admissions complaints (not, for example, general school grievances, curriculum, disciplinary or special educational needs issues, which are handled under separate policies).
- 1.4. Because the school is not a Section 41 independent school (i.e. not approved under section 41 of the Children and Families Act 2014), it is not bound by certain SEN or EHC plan duties applicable to Section 41 schools. Nonetheless, the school must comply with the Equality Act 2010 in its admissions practices and must ensure that its complaints procedure is accessible, fair, and non-discriminatory.
- 1.5. The school is required by the Education (Independent School Standards) Regulations to have a published complaints procedure (Schedule, Part 7, paragraph 25).

## **2. Principles**

The school commits to the following principles:

- Complaints should be handled with courtesy, fairness, confidentiality, and transparency.
- Complainants should not be penalised or disadvantaged for raising a complaint in good faith.
- Complaints should be resolved as close to the point of origin as possible (i.e. informally if possible).
- There should be clear timeframes for each stage to ensure prompt resolution.
- There should be escalation routes and appropriate oversight (e.g. independent panel) where issues cannot be resolved at lower levels.
- The procedure will not allow challenges to academic judgments per se, but will allow for review of whether due process was followed.

- Records of complaints and decisions will be kept, and lessons learned used to improve practice.

### 3. Definitions

- **Complainant:** the person lodging the complaint (usually a parent, carer or prospective student).
- **Respondent:** the person or committee whose decision or action is the subject of complaint (e.g. admissions office, head of admissions).
- **Independent Panel / Review Panel:** a group of persons not directly involved in the original decision, who hear the complaint at the final stage.
- **Working day:** a school day, excluding weekends and school holidays (or you may define calendar days; just be clear).
- **Admission decision:** includes decisions on acceptance, refusal, ranking, waiting list placement, re-allocation, offers, and communication.

### 4. Publication and access

- 4.1. The school must publish this complaints procedure (e.g. on its website, in admissions literature, and in the admissions policy) and make it available to parents / prospective applicants on request.
- 4.2. The school should also communicate clearly the timescales within which complaints must be made (i.e. a time limit for lodging).
- 4.3. The complainant must not incur a charge for making a complaint under this procedure (other than any incidental costs such as postage).

### 5. Time limits

- 5.1. The complainant should lodge a written complaint within 20 working days of the event or decision complained of (or, where that is not reasonably possible, within such further period as the school may decide).
- 5.2. If a complaint is lodged outside the timeframe without reasonable excuse, the school may decline to consider it, but may do so at its discretion (especially where the delay would not materially prejudice the school's ability to investigate).

5.3. The school should aim to resolve complaints as quickly as possible, and should set target timeframes for each stage (see Section 7).

## **6. Stages of the complaints procedure**

The procedure should have three stages (informal, formal written, and independent review).

### **6.1 Stage 1: Informal resolution**

- The complainant is encouraged, as a first step, to raise the concern informally with the admissions officer (or designated admissions staff) and to seek an explanation or reconsideration.
- The member of staff should note the substance of the concern and attempt to resolve it by explanation, clarification, or, where appropriate, reconsideration.
- The staff member should respond orally or in writing (depending on the complainant's preference) within 10 working days of receipt of the complaint.
- If the complainant is not satisfied with the response or resolution, they may proceed to Stage 2.

### **6.2 Stage 2: Formal written complaint**

- The complainant should submit a formal written complaint to the Head of School (or other designated senior officer) using a complaints form or via a letter or email, stating clearly:
  - \* their name and contact details;
  - \* student's name (if known/applicable);
  - \* the decision or event being complained of;
  - \* the grounds of complaint (with reference to any relevant admissions policy or published criteria);
  - \* any supporting documentation or evidence;
  - \* the outcome they seek.
- The Head (or designated senior officer) will acknowledge receipt within 5 working days of receipt.
- The Head (or officer) may, if helpful, meet (or offer to meet) the complainant to clarify the complaint and gather further information.
- The Head will conduct or commission an investigation (which may include reviewing documents, interviewing relevant staff, and giving the complainant an opportunity to

comment).

- The Head will issue a formal written response, including findings, decision, and any remedy or adjustments, within 20 working days of acknowledgement (or, if more time is needed, a letter explaining the delay and estimated date).
- If the complainant remains dissatisfied, they may request escalation to Stage 3.

### **6.3 Stage 3: Independent Review Panel**

- The complainant should submit a request for independent review to the Chair of Governors within 10 working days of the Head's decision.
- The request should reaffirm the complaint, indicate dissatisfaction with the Stage 2 decision, and state the reasons for review.
- The school will convene an independent panel (of three persons) comprised of individuals who were not involved in the original admissions decision. At least one panel member should be independent of the school's management (e.g. an external governor or adviser).
- The Chair will send to all parties, at least 7 working days before the hearing, relevant documents and an outline of the procedure.
- The complainant and school may each submit a written statement and may attend the hearing (or send a representative) and present their case and answer questions.
- The panel may ask for additional information or clarification from either party.
- After deliberation, the panel will issue a written decision (usually by the Clerk) within 10 working days of the hearing, stating findings, conclusions, and recommendations (which may include reconsideration by admissions staff, adjustments, or procedural changes).
- The decision of the panel is binding on the school (unless there is manifest error or new evidence).
- The school should ensure that any recommendations are implemented promptly and that the complainant is informed of actions taken.

## **7. Suggested timeframes summary**

Acknowledgement of formal complaint: Within 5 working days

Head's written response (Stage 2): Within 20 working days

Request to escalate to Stage 3: Within 10 working days of Stage 2 outcome

Notice to parties of panel hearing: At least 7 working days' notice

Independent Panel decision issued: Within 10 working days of hearing

If exceptional circumstances prevent meeting these targets, the school should notify the complainant, explain reasons for delay, and propose an alternative date.

### **8. Records, monitoring and reporting**

- The school will maintain a record of all complaints, their outcomes, and any remedial actions taken.
- The Head (or designated officer) will review complaints regularly to identify trends, root causes and areas for improvement.
- An annual summary report (with anonymised data) will be presented to the proprietor / governors, including number of admissions complaints, outcomes, response times, any procedural changes adopted.
- Where a complaint reveals a deficiency in policy, practice or procedure, the school will take corrective action.

### **9. Confidentiality and data protection**

- All correspondence, statements and records relating to a complaint will be kept confidential, except to the extent required by law or where disclosure is necessary to a person conducting the investigation.
- The school will handle personal data about complainants in accordance with UK data protection laws (e.g. GDPR and Data Protection Act).
- Complainants may request redacted or anonymised versions of documents, consistent with data protection rights.

### **10. Safeguards and conflict of interest**

- No staff member directly involved in the original admissions decision should act as investigator or panel member at higher stages.
- Panel members should declare any potential conflicts of interest and withdraw if impartiality could reasonably be questioned.
- The school may refuse or terminate a complaint where it is vexatious, malicious, or unreasonable; in such cases the school should notify the complainant and explain the decision.

### **11. Communication of outcomes**

- All decisions should clearly state the reasons for the decision and any remedy or action to be taken.

- The complainant should be informed of their right (if any) to external recourse or oversight (if applicable).
- The decision letter should confirm the complaint is concluded (unless further action is agreed).

### **12. External review or oversight**

- Because the school is independent (non-state), there is no automatic appeal to the Local Government Ombudsman or to the Office of the Schools Adjudicator for independent school admissions complaints.
  - However, if the complaint concerns the school's compliance with its own admissions policy or relevant admissions law (e.g. the School Admissions Code, if applicable), the complainant may have recourse to regulatory bodies or judicial review where appropriate.
- The school should advise the complainant of any time limits or limitations on external review.

### **13. Review of the procedure**

This procedure shall be reviewed at least every two years (or earlier in light of changes in law, guidance or school practice) by the proprietors / governors, and any amendments will be communicated to staff, parents and prospective applicants.