MAGDALEN
COLLEGE SCHOOL

FOUNDED IN 1480
BY WILLIAM OF WAYNFLETE

Complaints Procedure

Reviewed	September 2026
By	Master
Next review	September 2027

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Introduction

Magdalen College School seeks to foster good relations between parents, pupils and staff. It welcomes suggestions and comments from parents, not least as feedback is often an effective way of furthering the quality of the School's operation. The School values parents' co-operation and assistance and asks that parents remain mindful of their responsibilities under clause 9 of the School's Terms and Conditions, in particular by ensuring that communications with the School are reasonable and appropriate.

This policy can be found on the School's website and is also available on request. For the purposes of this policy, "parent(s)" means parent(s) of current pupils or their legal guardian or educational guardian.

Although the School endeavours to manage complaints in an open and transparent manner, parents should be aware that there may be circumstances which mean the School is unable to share complete details about how a complaint has been handled by the School, the evidence collated, steps taken in response or other related matters. This could be the case even when a complaint is upheld. For example, this may be because such information constitutes sensitive third-party data (for example belonging to a staff member, pupil or other parent), legal or regulatory requirements prohibit disclosure, or withholding information is in accordance with specific instructions from a statutory agency. This list is not exhaustive.

This formal procedure is only available to parents of current pupils; complaints by parents of former pupils will be dealt with under this Complaints Procedure only if the complaint was initially raised when the pupil to which the complaint relates was still registered as a pupil at the School.

The School will be mindful of its obligations under the Equality Act 2010 in the application of this policy.

Stage I: Concerns and their resolution (informal)

It is expected that any issues arising between parents and the School will be resolved informally in the first instance. The Red Diary explains how to progress any informal concern.

Where parents have concerns, they should contact their child's Tutor in the first instance. The Tutor will make a written record of the matter and, if appropriate, sequentially progress the concern to other members of staff such as Head of Department, Housemaster, Head of Section, Deputy Head (Academic) or Usher in the Senior School; in the Junior School concerns should

be progressed to the JS Deputy Head (Pastoral), the JS Deputy Head (Academic), Head of the Junior School, Deputy Head (Academic) or Usher.

Should these concerns relate to the Master, parents may proceed to contact the Chairman of Governors via the Clerk to the Governors, who is also the Bursar.

All informal concerns will be handled within a timescale that is reasonable, i.e. any member of staff to whom the complaint is escalated will respond generally w**ithin ten working days, not including school holidays**, and the outcome communicated to the parents.

Stage II: Formal Complaints

If a parent is not satisfied with the outcome of the informal procedure above, the parent should write to the Master with their complaint. The parent should describe the issues, the nature of the complaint, the interactions they have had so far with the school on this matter and the remedy sought. This will only be considered a formal complaint by the Master if the informal procedure has deemed by the Master to have been exhausted. If this is the case, the Master or their appointee will look into the matter and respond to the parents accordingly, alerting them to this procedure and the right of appeal.

The formal complaint should be acknowledged within one working week and in most cases the response made **within twenty working days, not including school holidays**. The response will usually involve a conversation or a meeting with parents.

If an investigation is required, an additional two working weeks or longer can be allowed for this, and the parents will be informed of the reason for the extension. The Master (or their nominee) will determine who will carry out the investigation, which may be someone external to the School.

Written records will be kept of all formal meetings and interviews held in relation to the complaint.

Once the Master (or their nominee) is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing.

If the complaint is against the Master, the complaint should be made to the Chair of Governors. The Chair of Governors will nominate someone to determine the complaint. The Stage II process described above will then be followed as if the reference to the Master (or their nominee) is to the individual nominated by the Chair of Governors to determine the complaint against the Master.

If parents are still not satisfied with the decision, they should proceed to Stage III of this procedure. Parents should note that the scope of the complaint should remain the same throughout the different stages. If parents wish to raise any new matters, these will be dealt with under Stage I.

Stage III: Appeal to the Complaints Panel

It is always expected that a parent will have used and exhausted both the informal process explained above, which forms the necessary preliminary to any formal complaint, and also Stage II of the process. If a complaint comes directly to the Chairman of Governors, he or she will refer it directly to the Master to deal with it appropriately.

Any parent not satisfied with the way in which their concern has been handled at Stage II may appeal to Stage III in writing to the Chair of Governors c/o the Clerk of the Governors **within ten working days** of their response from the Master to their Stage II complaint.

- If parents seek to invoke Stage III (following a failure to reach an earlier resolution) they should do so in writing to the Bursar as Clerk to the Governors within **ten working days** of receiving the decision at Stage II, setting out their grounds of appeal. Any supporting evidence which the parents wish to rely on should also be provided with their grounds of appeal.

- To the extent the parents are unable to provide their appeal and supporting evidence within the time period stipulated due to extenuating circumstances which have impeded the parents from taking action, the parents should request an extension in writing. Such a request should be made to the Bursar as Clerk to the Governors in advance of the original deadline, setting out the further time period requested and the reason for this. This will be considered by the Chairman of Governors. In the event the parents are unable to provide their appeal and supporting evidence within the time period stipulated (including to the extent applicable any extensions if agreed) the School reserves the right to conclude the complaint process and not progress the matter to Stage III.

- The Bursar, who has been appointed by the Governors to call hearings of the Complaints Panel, will then refer the appeal to the Complaints Panel for consideration. The Panel will consist of three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the School. The Chair of Governors will appoint one Panel member to act as Chair of the Panel. The convenor, on behalf of the Panel, will

then acknowledge the complaint **within five working days** and schedule a hearing to take place **within twenty working days, all not including school holidays.**

- If the Panel or convenor/clerk to the Panel deems it necessary, they may require that further particulars of the complaint or any related matter be supplied in advance of the hearing or further investigation be carried out. Copies of such particulars shall be supplied to all parties **not later than five working days** prior to the hearing.

- The documents submitted by the parents and the school to the Panel will be shared to all parties no later than **five working days** prior to the hearing.

- **The parents may attend the hearing and be accompanied to the hearing by one other person if they wish.** The Stage II decision-taker shall also be entitled to be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not be appropriate and the companion should not be a lawyer. The identity of the companions should be confirmed to the convenor/clerk to the Panel as soon as possible and by no later than **two working days** before the hearing. The Panel will decide whether it would be helpful for witnesses to attend.

- A note-taker will attend the hearing to take a note. This will not be a verbatim note but an accurate reflection of what was discussed. Notes of the hearing will be shared with attendees as soon as practicable after the hearing. To the extent there is any disagreement about the content of those notes or further comments from the parties, these will be considered by and, where possible, resolved by the Chair. A copy of any comments on the notes will be appended to the notes.

- The remit of the Panel shall be at the discretion of the Chair of Governors and the manner in which the hearing is conducted shall be at the discretion of the Panel.

- 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 it should be carried out.

- After due consideration of the merits of the complaint and all facts they consider relevant, the Panel will make findings as to whether or not the Stage II decision was a reasonable one and decide whether to:

    - dismiss the complaint(s) in whole or in part;
    - uphold the complaint(s) in whole or in part; and

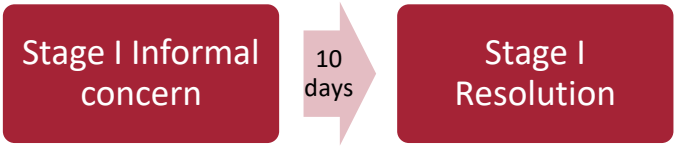
- make recommendations for the School to consider. Stage III Panels cannot require that any financial compensation is paid to parents or otherwise obligate the School to take particular steps.

- The Panel will write to the parents informing them of its decision and the reasons for it, **five working days of the hearing** (although additional time may be required if it is necessary to carry out further investigations following the hearing). The decision of the Panel will be final.

- A copy of the Panel's findings and recommendations (if any) will be sent by electronic mail or otherwise given to the parents, and, where relevant, the person complained about as well as the Chair of Governors and the Stage II decision-taker. A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the School premises by the Chair of Governors and the Master.

Timeframe for Dealing with Complaints

All complaints will be handled seriously, sensitively and within clear and reasonable timescales as set out in this procedure.



It is in everyone's interest to resolve a complaint as speedily as possible: the School's target is to complete the first two stages of the procedure **within twenty-five working days, not including school holidays**. Stage III, the Appeal Panel Hearing, will be completed **within a further twenty-five working days, not including school holidays**.

Please note that, for the purposes of this procedure, **working days** refers to weekdays (Monday to Friday) during term time, excluding bank holidays and half term. This means that during School holidays it may take longer to resolve a complaint although the School will do what is reasonably practicable to avoid undue delay. It may also take longer to resolve a complaint

during periods of significant disruption to School life or as a consequence of unavoidable staff absence, however deviation from the normal timescale for resolving a complaint during term time will only occur on an exceptional basis, and the School will take all reasonable steps to limit any such delay. The School expects parents to engage in the process in a reasonable, constructive and responsive manner to help ensure matters can be dealt with in a timely way and in line with the targets set out in this Procedure.

This formal procedure is also not appropriate or available in matters of admissions, exclusions, or debt, which should be progressed as follows:

- concerns around admissions from parents of prospective or former pupils are explained in the relevant policies and have their own procedures.
- if a pupil is excluded or a parent is required by the Master to remove their child, parents have a right to review of that decision by the Governors. A copy of the Review Procedure is made available to relevant parents by the Bursar at the appropriate time. A complaint under this policy is neither available nor appropriate in these circumstances.
- issues around unpaid fees are dealt with as a contractual matter.

It is essential that any complaint, and all associated correspondence, statements and records, are kept confidential by all parties. This is primarily to preserve the ability of the School to convene a panel of Governors with no former knowledge of the matters forming the basis of the complaint. However, confidentiality is also crucial to preserve the necessary relationship of trust for all parties to work together after resolution of the complaint.

Recording Complaints and use of personal data

Following resolution of a complaint, the School will keep a written record of all formal complaints, whether they are resolved at the informal stage (Stage I), the formal stage (Stage II) or proceed to a Panel hearing (Stage III) and any action taken by the School as a result of the complaint (regardless of whether the complaint is upheld).

The School processes data in accordance with its Privacy Notice https://www.mcsoxford.org/privacy-policy. When dealing with complaints the School (including any Panel member appointed under the Stage III process) may process a range of information, which is likely to include the following:

- Date when the issue was raised
- Name of parent
- Name of pupil
- Description of the issue

- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name and contact details of member (s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations)
- Notes/minutes of the hearing, and
- The Panel's written decision

This may include 'special category personal data' (as further detailed in the School's *Privacy Notice*, but potentially including, for instance, information relating to physical or mental health) where this is necessary owing to the nature of the complaint. This data will be processed in accordance with the School's *Privacy Notice*.

The School will keep records of formal complaints and Complaints Panel hearings, as required by regulation. It will do so in accordance with its *Privacy Notice* and *Retention of Records Policy*. All records relating to complaints shall be treated as confidential. In addition to where requested by the Secretary of State or an inspector (see above), there may be other circumstances where disclosure of the substance of a complaint or particular confidential records relating to it is required, for example, where there is a legal, regulatory or safeguarding obligation which prevails over the requirement to maintain the records as confidential. Requests for the disclosure of this information made under data protection legislation (e.g. subject access requests) will be considered on a case-by-case basis.

Number of formal complaints in the previous school year

The number of formal complaints in the previous school year is 3.

Concerns and Complaints regarding Fundraising

Magdalen College School is registered with the Fundraising Regulator and complies with the Fundraising Code of Practice. The complaint process will follow stages I, II and III above, although the complainant may come from the wider MCS community, including alumni, friends and former parents. Under Stage I, any informal concerns should be raised with the Director of the Waynflete Office in the first instance, who will air the concern with the Bursar, Usher or Deputy Head (Education Development). All informal concerns will be handled within a reasonable timescale, usually within two working weeks. If the concern cannot be resolved informally, a formal complaint should be made in writing to the Master as in Stage II above and could move to Stage III if necessary. If the complainant feels that the outcome is not

satisfactory, the Fundraising Regulator can be contacted at: www.fundraisingregulator.org.uk or on **0300 999 3407.**

Data Protection Complaints

If you have a complaint about how the School has handled your personal data, please refer to our Data Protection Complaints procedure.