

# PARENTAL COMPLAINTS STAGE 2: FREQUENTLY ASKED QUESTIONS

## INTRODUCTION

IAPS and ISBA have worked in conjunction with HCR Law on these frequently asked questions (**FAQs**) in relation to Stage 2 of parental complaints.

Part 7 of Schedule 1 of the Education (Independent School Standards) Regulations 2014 (ISS Regulations) requires all independent schools to draw up and implement a three-stage complaint process for parents of pupils. The focus of this guidance is complaints being handled under Stage 2 of a school's complaints procedure. Under the ISS Regulations, the three-stage complaint process must establish a formal procedure for the complaint to be made in writing where it cannot be resolved initially on an informal basis (usually called Stage 1). The first formal stage of the complaints procedure is being referred to as Stage 2 in these FAQs.

This is one of several documents on parental complaints. The others are:

- Model Complaints Procedure
- Model Complaints Form for Parents (which may be used to submit a Stage 2 complaint)
- Parental Complaint Stage 2 Decision Letter Template Structure
- Parental Complaints Stage 3 Panel: Frequently Asked Questions
- Model Parental Complaints Stage 3 Panel Hearing Process, and
- Parental Complaint Stage 3 Decision Letter Template.

In relation to these FAQs, the document *Parental Complaint Stage 2 Decision Letter Template Structure* is particularly relevant, and we encourage schools to read these documents together.

This guidance has been cross-referenced with the above documents, but schools should ensure that it is consistent with their complaints procedure and communications between the school and parents.

**HCR Law, August 2025**

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### **1. When should the Head get involved (or not get involved) in a parent complaint?**

In most circumstances, Stage 2 of the Complaint Procedure will require a written complaint to be made to the Head - unless the complaint is against the Head, where it should be submitted in writing to the Chair of Governors. For this reason, it is important that the Head, as far as possible, is not materially involved with the complaint before reaching this stage. Members of staff should be encouraged to resolve the matter informally where this may result in a successful and speedy resolution of the complaint.

If, however, resolution is not reached informally, and the Head receives a Stage 2 complaint, they will need to consider who would be best placed to investigate and prepare an investigation report. The investigation may be carried out by the Head, or they may decide it would be more appropriate to nominate another person (usually a senior member of staff or it may be someone external to the school) to conduct this part of the process. Where the Head chooses to nominate another person as investigating officer, they should ensure that they are more senior than the person who dealt with the complaint at the informal stage (Stage 1). The Head should also ensure that the person nominated to undertake the investigation has sufficient experience and/or training in this regard. Schools may wish to consider

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providing specific training on the management of complaints and the investigation process, including best practice for interviewing witnesses, to relevant members of staff.

This ability for the Head to delegate the investigation to a senior member of staff may be set out in the school's complaints procedure but even if it is silent in this regard, the school may still proceed on this basis if there is no other wording in the complaints procedure which contradicts this.

A complaints procedure may also provide for another member of staff to be the Stage 2 decision maker even where the complaint is not against the Head. For instance, the Head may not need to be the Stage 2 decision-maker when it is obvious that the parents are making a complaint to simply 'make a point' or put their concerns 'on the record' rather than being genuinely invested in the outcome of their complaint. This is permitted under Part 7 of the ISS Regulations which do not expressly state that the Head must be the decision maker. Please note that this would be unusual and it is important that the school's complaints procedure allows for this.

Schools should be mindful that some parents may have submitted the Stage 2 complaint under the reasonable expectation that they would be provided with an opportunity to discuss their concerns directly with the Head. To deny parents this opportunity may risk an unnecessary escalation of the complaint to Stage 3.

In all cases, it is important the principles of natural justice are applied which includes ensuring that the individual appointed as the Stage 2 investigating officer and/or decision-maker has not been previously involved in the matters that are the subject of the complaint. Heads who have been updated on Stage 1 complaints are not automatically excluded from being the Stage 2 decision-maker but should be careful not to get involved at the informal stage in case it proceeds to a formal complaint.

### **2. How should a Stage 2 complaint investigation be conducted?**

Once appointed, the investigating officer will need to consider what further information may be needed to determine the facts of the complaint and the form(s) of evidence that would be most appropriate. Any further steps taken should ensure that the decision-maker is best-placed to make informed conclusions / findings.

The school's complaints procedure may require the Head or investigating officer to arrange to meet with the parent(s), either in person or remotely, to discuss their concerns early in the investigation process. The purpose of this meeting is not to attempt to resolve the complaint, although this may be possible, but to understand the parents' concerns fully. A note taker should also be present to take minutes of this and any other meeting. The parents may also provide further submissions or evidence at this stage which will need to be considered alongside their written grounds of complaint which instigated the Stage 2 process.

The investigation may involve interviews/meetings with any relevant witnesses, which may include other pupils and/or members of staff. It will not always be necessary or appropriate to interview pupils and it is unlikely to be appropriate for the investigating officer to speak to other parents. This will need to be determined by the investigating officer after reviewing the grounds of the complaint and the circumstances surrounding it.

The investigation may also involve a review of communications (e.g. emails) held by the school. These could include communications with the parents but also communications internally within the school and

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with external agencies where appropriate. Internal school records (e.g. CPOMS) may also need to be considered.

Once the investigating officer has completed the investigation, they will need to prepare a report for the decision-maker's consideration. They should carefully consider the content and structure of the investigation report. The purpose of the investigation report is to provide the Stage 2 decision-maker with sufficient and clear information upon which to base their findings. The investigating officer should not make their own findings on the grounds of complaint, which should be reserved for the decision-maker. Ideally, the report should include:

- a. Introduction – setting out the terms of reference, any background to the complaint and each ground of complaint that has been investigated.
- b. Process – information on the investigation process, including what evidence has/has not been considered and any persons who have been interviewed, including reasons for any evidence that has not been considered.
- c. Investigation findings – a summary of the evidence (written, physical and witness), the facts that have/have not been established and any other relevant information.
- d. Supporting documents – copies of all evidence obtained, including witness statements, meeting minutes, school records, communications, CCTV (which may be in the form of a transcript), photos, videos and relevant school policies. These documents can be appended to the report and referred to within the body of the report where helpful.

At the conclusion of the investigation the investigating officer will need to consider carefully who should be provided with a copy of the written report. The decision-maker will need to be provided with a full copy of the investigation report. However, it is not always appropriate, nor is it compulsory, for the parents to be provided with a copy of the full report or the evidence such as witness statements or meeting minutes with staff. Where evidence is disclosed to the parents, schools will need to ensure that they are mindful of their obligations under data protection law and redact or summarise any evidence as needed.

The investigation process should be carried out without delay. It is usual for school complaint procedures to provide a timeframe for the Stage 2 decision letter to be sent to the parents, and the investigating officer will need to be aware of this timeframe when planning the investigation. An investigation may not need to be extensive if the facts and issues which are the focus of the complaint are very clearly defined and discrete. However, where a complaint is complex an investigation can take some time to complete. In this situation, the investigating officer may require additional support or time to fulfil their normal duties whilst they are carrying out their role as investigating officer. More time to carry out the investigation is likely to be needed when schools are closed, and this should be set out in the complaints procedure. Parents should be kept informed of any delay to published timescales, which should not be excessive, and the reasons for this.

### 3. What should be covered in a Stage 2 complaint decision letter?

The Stage 2 decision should provide sufficient detail to assure parents that their concerns have been carefully considered and where possible, avoid any unnecessary escalation to a Stage 3 panel hearing. Schools should also set out how they have followed the complaints procedure to ensure fairness and due process. We have produced a *Parental Complaint Stage 2: Decision Letter Template Structure* to assist schools to appropriately structure the decision letter which can be found [here](#).

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In summary, the Stage 2 decision letter should cover:

- a. the background to the complaint, including any steps taken by the school to resolve the complaint at Stage 1.
- b. the steps the investigating officer has taken at Stage 2 to investigate the complaint including any review of documents and school records, any meetings held with witnesses/staff and any review of supporting documents submitted by the parents.
- c. a summary of each ground of the complaint, setting out in turn the findings with respect to each ground of the complaint. The reasoning and any evidence relied on to reach findings should also be explained.
- d. confirm the decision in relation to each ground and whether each aspect of the complaint is upheld, partially upheld or not upheld.
- e. set out any proposed resolutions.
- f. inform the parents of their right to have the decision reviewed under Stage 3 of the complaints procedure, and give details of how this can be requested.

For confidentiality and data protection reasons, it would not be appropriate to make any reference in the Stage 2 complaint decision letter to any potential or current disciplinary action or sanction the school takes with a member of staff or pupil. However, the School may assure parents that the school has separate internal policies and procedures in place that will be considered in respect of any findings made.

The Stage 2 complaint decision letter should be sent to the parents by the decision-maker (the Head/Chair of Governors or their nominee) within the timeframe specified in the school's complaints procedure.

### **4. What common issues do schools face in relation to parent complaints and how can they be dealt with strategically?**

A complaint is defined as an expression of dissatisfaction with either a real or perceived problem. It may be made about the school as a whole, or about an individual member of staff, or the school's response to a specific incident (or series of incidents) but can include any matter about which a parent is unhappy and seeks action by the school.

A common issue we see schools encounter when dealing with parental complaints is recognising when a complaint needs to be formalised at Stage 2. Sometimes we see schools attempt to resolve complaints at the informal stage when previous attempts have failed, prolonging the overall process and increasing parental (and staff) frustration. The benefits of proceeding to the formal stage, which is prescriptive, process-driven and with clear timeframes, provides parents with clarity on the next steps and assurance that the complaint will be considered in a timely and thorough manner. In following the formal complaints procedure schools can also protect precious staff time from what can become overly onerous or unwieldy complaints. Once a complaint has reached the end of the Stage 3 process, parents are not entitled to raise the same matter again through the school's complaints procedure. This can provide a clear 'line in the sand' for all concerned. The parents may of course seek to take the matter to a regulatory body such as the DfE, ISI, ICO or Charity Commission. Unless the complaint involves a serious safeguarding allegation and may hint at systemic issues, the regulatory authorities will usually refer the parent back to the school. Schools may wish to consider providing any regulatory authority with a notification that a complaint has been received and that the school are responding to it in accordance with their policy. Whether to take this step should be determined on a case-by-case basis.

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Whilst schools should endeavour to resolve complaints at Stage 2, they should keep in mind the parents' right to escalate the complaint to a Stage 3 Panel hearing if they remain dissatisfied. Where this happens, the panel that hears the complaint are required to have no previous involvement in the complaint. This can sometimes cause issues for schools, particularly where complaints have remained at the informal stage for a long period, and several people have had involvement. It is important that schools remain mindful throughout the process of limiting involvement to only those who are essential at the informal stage. This includes governors and the Head who can be kept updated on complaints but should not play an active role in the early stages unless they will not be needed further down the line in the complaints process.

Another common issue for schools is ensuring that the timeframes stipulated in the complaints procedure are adhered to. The ISBA Model Complaints Procedure provides an indicative timeframe of 10 working days from receipt of the Stage 2 complaint for the Head (or their nominee) to meet with the parents to discuss the matter. There is also an indicative timeframe of 20 working days from receipt of the complaint to provide the parents with the decision in writing. It is important that schools review their own complaints procedure to ensure that any stipulated timeframes are achievable. Schools should also ensure that their own procedure clarifies if 'working days' is defined as term-time only working days and does not include school holidays, where the staff and resources available to the school may be limited. Some schools prefer to refer to 'school days' for timescales and this should also be defined as term-time only. It is important that schools ensure staff are aware of timeframes within the school's policy and any changes to the policy, following review, are communicated appropriately. Where schools are not able to keep to any stipulated timeframes, they should ensure that parents are updated and reasons for the delay are given. If a revised timeframe can be given, this can also be provided.

### **5. What can schools do to avoid unnecessary escalation of a parent complaint?**

From time-to-time we see schools dealing with complaints at a Stage 3 panel which could have been resolved at an earlier stage. Procedurally, ensuring that complaints are acknowledged at the earliest opportunity, parents are kept regularly updated and undertaking a thorough investigation, as set out above, can assist in avoiding unnecessary escalation.

Schools and parents can at times find themselves becoming entrenched in a position and it is important that full consideration is given to any steps that could be taken to reach an amicable solution at the earliest possible opportunity. In some cases, this may be as simple as showing empathy and/or offering an apology, which costs nothing. It may also involve recognising where things can be improved, or where the school could have handled a situation better. Whilst schools may not agree that any or every ground within a complaint can be upheld, it is important that, where possible, they remain open to self-reflection and accepting of where things may have been done differently.

For instance, this approach can be helpful where parents take issue with what staff members have said or how they have said it, or indeed their lack of communication, which they have been offended or hurt by. This 'school communication' aspect of a complaint is usually part of a broader complaint about more substantive issues about their child's academic progress or wellbeing, but which has inadvertently 'touched a nerve'. An empathetic approach and early acknowledgement by the Stage 2 decision-maker of how the staff communication landed can assure them of the school's good intentions. It can build trust in the complaints process more generally particularly where parents feel that the school is not on their side.

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Parents may also feel heard. If appropriate, this aspect of the parents' complaint can be upheld if the facts and findings support this. The school may be able to confirm that the way it communicates with parents generally or on a particular matter will be reviewed. In relation to any substantive aspects of the complaint, schools may be able to reassure parents that their comments will be fed into a review of policies and procedures, and that additional staff training will be provided.

### **6. How should a school handle a collective complaint made by more than one set of parents?**

Where a number of parents come together to bring a collective complaint, which arises from a common issue, it is possible to consider them together providing that the ISS Regulations relating to complaints are met for all complainants. For instance, each parent will be entitled to have their complaint considered initially on an informal basis in line with a school's complaints procedure.

That said, whilst it is possible to deal with a number of complaints collectively, generally we recommend that schools take an individual approach and deal with each complaint separately. There may be parents who may not themselves have any real concerns who are encouraged or empowered through other parents to put their names to a complaint. In this situation taking a 'divide and conquer' approach will ensure that the school is able to identify and determine the valid complaints and provide an individualised response.

When adopting the above stance, schools may wish to consider relying on the following reasons to justify the decision.

- The school assesses each and every complaint individually and on its own merits.
- The school is under a legal duty to adhere to data protection laws which restrict sharing of personal data.

### **7. There is a risk that in seeking to deal with complaints collectively, a parent's individual views may not be fully presented. How should a school handle parents who are making vexatious or unreasonable complaints?**

Whilst it is always best to approach the management of complaints in an open-minded and collaborative way, this is not always possible. Parents who raise vexatious, repeated or unreasonable complaints can be incredibly difficult for schools to manage and it is important that schools put in place appropriate procedures to deal with these types of complaints effectively and quickly, ensuring that they do not consume too much time for school staff.

The DfE has published *Best Practice Guidance for Academies Complaints Procedures* that, although aimed at academies and academy trusts, independent schools may find useful. A complaint is defined as vexatious according to this guidance where it:

- is obsessive, persistent, harassing, prolific, repetitious.
- insists upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.
- insists upon pursuing meritorious complaints in an unreasonable manner.
- is designed to cause disruption or annoyance.

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- demands redress that lacks any serious purpose or value.

Despite the above it is often difficult for schools to define the moment a complaint crosses the threshold from reasonable to unreasonable and/or vexatious. For this reason and, given the increase in parents voicing their complaints publicly via WhatsApp groups or social media accounts, it is important that schools have in place clear guidance to define when a complaint becomes vexatious and a process that can be followed to address such behaviour. Not only is this important to preserve the school's reputation but also to ensure the wellbeing of staff. It can be particularly difficult for staff to endure parents making accusations in a public way particularly where they are often unable to respond or defend themselves in the same manner due to safeguarding and data protections obligations.

In the first instance, schools should consider discussing complaints that they consider to be unreasonable or vexatious in person with the parents. Where this does not resolve the issue, and the behaviour continues, schools should write to the parent setting out why their behaviour with respect to their complaint is unreasonable and providing them with the opportunity to change it. For maintained schools the DfE has published a [non-statutory model policy](#) for managing serial and unreasonable complaints. Although schools are not required to adopt this policy, independent schools may wish to consider adopting a similar process and incorporating this into their existing complaints procedure. The model policy helpfully sets out example behaviours that would be considered as unreasonable behaviour which could assist schools in determining whether behaviour has crossed the threshold from reasonable to unreasonable and/or vexatious and evidencing this to parents.

Where parents are not willing or able to rectify their behaviour and continue to cause a significant level of disruption to the school, schools can consider imposing communication restrictions. For example, this could include putting in place a communication plan which requires the parent to contact a nominated member of staff and/or use a specified method of communication, limiting the number of times they can make contact or restricting their physical presence on the school site. Any action taken in response to vexatious, repeated or unreasonable complaints will need to be consistent with the terms of the Parent Contract and any other relevant school policies.

### **8. How should schools handle parents who are behaving unreasonably more generally?**

Whilst most parents are supportive of schools, occasionally, despite the school's best efforts, the necessary relationship of trust and confidence between parents and the school can irrevocably break down. When this happens, it can have a detrimental effect on the school community. In addition, school leaders have a duty of care to staff, who should be able to exercise their professional judgment in a supportive and respectful environment. We are increasingly seeing schools dealing with unreasonable behaviour from parents, including threatening and/or intimidatory behaviour, online abuse, and in some cases violence.

Where this happens, schools can consider putting in place measures to restrict the parents' contact with the school community. As above, this could include requiring the parent to contact a nominated member of staff or banning the parents from the school site. The DfE have published guidance for maintained schools considering barring individuals from school premises, which independent schools may wish to consider. The guidance confirms that as schools are private property, parents do not have an automatic right to enter but instead have an 'implied licence' to come on to school premises at certain times (i.e.



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drop off/pick up times). Schools can consider banning parents from school grounds for aggressive or abusive behaviour, including physical violence and threatening, abusive, or insulting language.

When considering taking this step the Head should initially notify parents in writing of their intention and provide them with an opportunity to respond. The Head's decision to bar should then be reviewed by either the Chair of Governors or a committee of governors who should take into account any representations made by the parent before making a final decision. If the decision is to enforce the ban this should also be communicated to the parent in writing explaining how long the ban will be in place and when the decision will be reviewed.

Schools also have the option of requiring the removal of pupils due to their parents' poor behaviour. If the school has adopted the model ISBA Parent Contract it includes a provision giving the Head discretion in this regard. It is vital that this is taken as a last resort having given parents a warning and opportunity to improve their behaviour and, in cases where there is also an ongoing complaint, once the complaints procedure has concluded. The complaints procedure should be conducted separately from any other internal process including a required removal. The school should not give any impression that parents are being punished or victimised for making a reasonable complaint which they are entitled to do.

Schools may wish to consider putting in place a parent code of conduct (or equivalent) to assist them in determining if parental behaviour has reached an unacceptable threshold, and there are grounds to instigate the required removal process. The code of conduct should be consistent with the complaints procedure and the Parent Contract. A Model Parent Code of Conduct is available on the ISBA reference library. If a parent misbehaves during the complaint process, the school can then refer to the code of conduct or equivalent document for parents, which should set out the possible consequences for falling short of expected conduct. Ideally the code of conduct should include examples of unacceptable behaviour within the context of the complaints process.

### **9. What are the most complex issues parents complain about?**

The most complex areas for a parental complaint tend (in our view) to relate to safeguarding and/or a child's learning difficulties or special educational needs (SEND).

The parents may suggest that their child with SEND is disabled for the purposes of the Equality Act 2010 and in that area, the most common type of issue either relates to an alleged failure to make reasonable adjustments or discrimination arising from disability. Both safeguarding and complaints which raise issues under the Equality Act can often be a complex area and schools may wish to seek legal advice on a case-by-case basis. We have produced the note 'Reasonable Adjustments for Disabled Pupils – A Practical Guide' which can be found [here](#). Considering the situation at an early stage from a legal point of view, to understand the scope and limitations of the school's legal duties under the Equality Act 2010, is advisable to avoid unnecessary escalation and any reputational issues.

When investigating complaints relating to safeguarding schools will need to seek advice and input from all relevant persons, which usually will include the school's Designated Safeguarding Lead (DSL) and/or the SENCO where appropriate. In some cases, it may also be appropriate to involve the Safeguarding Governor or external agencies such as the Police, Children's Services and the Local Authority Designated Officer.

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If the Safeguarding Governor is involved, they may then be excluded from further involvement if the matter is appealed to Stage 3 of the complaints procedure. In a similar way, where a school has a SEND Governor, their expertise may be useful at Stage 2.

### **10. What should schools consider if prospective parents allege discrimination (either explicitly or implicitly) during the admissions process?**

The ISS Regulations do not require a school's complaints procedure to apply to concerns raised by prospective parents including during the admissions process. It is good practice to carve this out explicitly in the complaints procedure.

Schools should be mindful that the Equality Act 2010 not only applies to current pupils but to prospective pupils with a protected characteristic.

In relation to the protected characteristic of disability, this means that schools are prohibited from discriminating against children and young people in respect of admissions for reason of their disability and requires schools to make reasonable adjustments to the admissions process. This applies to admissions policies/criteria, open or taster days, information and marketing materials, application forms, assessment processes (such as interviews and tests) and decision-making processes.

Although conditions for admissions apply equally to all applicants (such as having to pass an entrance examination or attend a taster day), schools will need to consider what reasonable adjustments can be made to admissions arrangements where they put a disabled applicant at a substantial disadvantage compared to non-disabled applicants. If a disabled applicant otherwise meets a school's admissions criteria, a school may also have to consider whether they can adequately cater for that child's needs, taking into account the reasonable adjustments duty.

The school will need to make a reasoned judgement based on the child's particular needs and circumstances. If there are no adjustments that can reasonably be made to accommodate the child, a decision not to admit a child is unlikely to be discriminatory. However, it is good practice to explain to parents why an offer of a place will not be made to avoid any misunderstanding.

### **11. Should a school respond to a complaint under the complaints procedure where there are outstanding fees in lieu of notice?**

Where a parent has withdrawn a child without giving the necessary notice under the Parent Contract, this will trigger the requirement for the parents to pay Fees in Lieu of Notice ('FILON') to the school usually as a debt. When this situation arises, parents may at the same time raise a complaint against the school with regards to an issue(s) which occurred during the time their child was a pupil at the school. These concerns may not have been brought to the school's attention prior to withdrawal and they are commonly (but not always) raised by departing parents in an attempt to avoid paying FILON. Frequent issues raised by parents at this point relate to educational provision, learning needs, or the way in which the school has dealt with historical concerns, such as bullying. The parents may argue that these concerns are the reason why they are withdrawing their child from the school, and that the school has breached the Parent Contract. Parents may explicitly request that, in the circumstances, FILON be waived.

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If the complaint was raised during the time the pupil was at the school, the complaint may need to be dealt with under the school's complaints procedure. This ensures the school is complying with the ISS Regulations to deal with parent complaints initially raised whilst the pupil was on the school roll.

If the complaint is raised for the first time after withdrawal, the school may, subject to the substance of the complaint, choose not to deal with the complaint under the complaints procedure and pursue the debt in the usual way. This may be a commercial decision.

In any event, it is important that the complaint and the issue of FILON are handled separately and that parents are informed of this at an early stage. For parents who are raising their concerns solely in an attempt to avoid paying FILON, this sends a clear message that the matters are discrete and will not be linked. The school should continue to follow their usual process for pursuing FILON. For example, any decisions in regard to their recovery should be made by the usual person (e.g. finance director/bursar) and not the person dealing with the complaint.

### **12. How should schools deal with a Data Subject Access Request (DSAR)?**

It is increasingly common for parents to make a Data Subject Access Request (DSAR) alongside their complaint and sometimes with the assistance of generative AI. Parents can make a DSAR for their own but also for their child's personal data (with their consent, if required).

The information subsequently disclosed by schools in response to a DSAR can then be reviewed by parents and in this context is often used to support their complaint. DSARs are entirely separate from the complaints procedure and are governed by data protection law and the school's data protection policy. The Information Commissioner's Office provides more guidance on DSARs which can be found here: [A guide to subject access | ICO](#).

Under data protection law, schools normally have up to one calendar month to respond to a DSAR. Schools should follow their DSAR or data protection policy which may set out a separate process to be followed. It is unlikely that the DSAR timescale and process will fit neatly into the complaints procedure, and the School is not obliged to delay stages or parts of the procedure until a DSAR is responded to. It may unnecessarily delay the complaints procedure especially if the school requires more than one month to respond and has extended the DSAR by up to three months in total due to its complexity.

That said, there are benefits to dovetailing the separate processes as far as this is practical. For instance, schools may wish to give parents additional time to review information disclosed under their DSAR before finalising the Stage 2 decision. If different staff are handling the DSAR, this will need to be carefully coordinated, and relevant staff will need to keep each other updated. Schools will also need to be clear with parents about any revised timescales and changes to them. Offering this flexibility is not mandatory but ensures that (i) parents feel more able to engage in the process, and (ii) it reduces the chances that parents try to introduce 'new' information late in the day, i.e., once they have received the DSAR disclosure.

Schools should be aware that a DSAR can be received at any time before or during the complaints process and once it has concluded at the end of Stage 2 (which may cover a request for the investigation report,

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witness statements and other evidence collated as part of the Stage 2 investigation as well as correspondence exchanged between the Head and the Stage 2 investigating officer and other staff members involved). There may be exemptions under data protection law which entitle the school to withhold some or all of this information, but all involved should be reminded to record only what they would be prepared to stand by should it be disclosed to the parents in response to a DSAR.

### **13. How can the school monitor trends in complaints / possible systemic issues, and how can these be effectively addressed?**

The ISS Regulations require schools to keep a written record of complaints made in writing under the formal parts of the complaints procedure. When recording complaints schools will also need to record whether they were resolved at Stage 2 or Stage 3 and the details of any action taken by the school in response to the complaint.

The National Minimum Standards also require boarding schools to identify, in their written record of complaints, those complaints relating to boarding provision, to keep a record of complaints made but later withdrawn and to keep under review any emerging patterns arising from complaints.

Schools should also be mindful of the importance of accurately recording and monitoring complaints to identify any trends or possible systemic issues. This is not only good practice to ensure that safeguarding procedures are effective but will be helpful during any inspections where schools may be asked to demonstrate that they consider complaints properly to ensure it does not represent a deeper issue that needs to be addressed. The ISI Handbook confirms that inspectors will likely want to see evidence of the complaints process in action, including by reviewing the school's complaint records on site during the inspection process. Whilst it is not for inspectors to judge whether the outcome of the school's complaints process is appropriate, they will look for evidence that the school has followed proper process and inspectors will consider any trends that might indicate areas of concern in the school's processes or policies.

Complaint records should also be regularly reviewed internally by the senior leadership team and the governing body to ensure strategic oversight. However, school leaders will need to be mindful of their duties under data protection law and ensure that Governors not involved in the formal stages of the complaint are only provided with anonymised complaint records. Importantly, details of any complaints that are still being considered should not be shared with the governing body, in case a Stage 3 panel hearing needs to be called.