

COMPLAINTS PROCEDURE

Person responsible: Bursar
Reviewed: October 2023

1. Introduction

- 1.1 The King's School has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a complaint, they can expect it to be treated by the School in accordance with this Procedure.
- 1.2 We aim to resolve any complaints in a timely manner. Timescales for each stage are set out below in the relevant paragraphs. When we refer to working days, we mean Monday to Friday, when School is open during term time and within two months during the holidays. The dates of terms are published on the School's website.
- 1.3 Separate procedures apply in the event of a child protection issue, or if the Head excludes or requires the removal of a pupil from the School (or suspends a pupil for more than 10 days) and the parents seek a Governors' Review of that decision.
- 1.4 This procedure is available to parents of current and registered pupils. The school does not have an obligation to follow this procedure in relation to complaints from parents of former pupils, unless the complaint was initiated before the child left the school.

2. Timescales

Written complaints about the fulfilment of the EYFS requirements are investigated and the complainant notified of the outcome of the investigation within 28 days. For any other complaint relating to a child in the EYFS and for complaints relating to pupils in Year 1 and older, the school will endeavour to follow the timescales, as published at each stage of the procedure. It is recognised that there may be factors beyond the school's control, or the need for more detailed investigation, which prevent adherence to these timescales. The school aims to keep parents informed about progress in the investigation of any complaint, and the reason for any delays.

Except in the particular case of EYFS requirements, as noted above, timescales relate to working days during term-time. A complaint received during school holidays will, for the purposes of timescales, be considered to have been received on the first working day following the holiday.

Early Years Foundation Stage

Parents of children in the EYFS can, if they wish, complain to Ofsted or ISI if they believe the school is not fulfilling the requirements of the EYFS framework – contact details are found below in Appendix 2.

The Complaints Procedure

It is expected that, except in the case of complaints where the Head can immediately identify that a complaint is of a particularly serious nature and chooses, therefore, to advance it to a later stage of the procedure, all complaints will begin with an investigation at Stage 1 and will progress through the procedure until a resolution has been found or the panel at Stage 3 has published its final decision

2. Stage 1 – Informal Resolution

- 2.1 It is hoped that most complaints and concerns will be resolved quickly and informally.
- 2.2 If parents have a complaint, they should contact their child's Class or Form Teacher/Housemaster/Housemistress. Should the complaint be about the Class or Form Teacher/ Housemaster/Housemistress, the complaint should go direct to the Deputy Head (Pastoral). In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction, coordinating with the Deputy Head team. If the Class Teacher /Housemaster/Housemistress cannot resolve the matter alone, it may be necessary for him/her to consult a Head of Department, member of the Senior Management or the Head.
- 2.3 Complaints made directly to a Head of Department, member of the Senior Management or the Head will usually be referred to the relevant Class of Form Teacher/Housemaster/Housemistress unless the Head of Department or member of the Senior Management or Head deems it appropriate for him/her to deal with the matter personally.
- 2.4 The Class or Form Teacher/Housemaster/Housemistress will make a written record of all concerns and complaints and the date on which they were received. A concern provided in writing will usually be acknowledged by telephone, fax, e-mail or letter within two working days of receipt during term time and within 2 months during the holidays.
- 2.5 Should the matter not be resolved within 5 working days or in the event that the Class Teacher/ Housemaster/Housemistress, coordinating with the Senior Deputy Head, and the parent fail to reach a satisfactory resolution then parents will be advised to proceed with their complaint by referring to the Head.
- 2.6 Complaints of discrimination, harassment or victimisation are taken very seriously and may need to be dealt with at Stage 2 without action at Stage 1.

3. Stage 2 – Formal Resolution

- 3.1 If a parent is dissatisfied with the response to the complaint under Stage 1, or the complaint requires investigation or involves dissatisfaction with some aspect of the School's policies or management, the complaint should be made under Stage 2. The full details of the complaint should be set out in writing and sent with all relevant documents and full contact details to the Head / Complaints Co-ordinator.
- 3.2 The complaint will be acknowledged by telephone, e-mail or letter normally within two working days during term time, and within two months during the holidays, indicating the action that is being taken and the likely time scale.
- 3.3 The Head will ask a senior member of staff to act as Investigator and / or may involve one or more Governors. The Investigator(s) may request additional information from the parents and may wish to speak to the parents and to others who have knowledge of the circumstances. Written records will be kept of all meetings and interviews held in relation to the complaint. The Investigator(s) will prepare a report on the investigation which will be considered by the Head.

- 3.4 Once the Head is satisfied that, so far as is practicable, all of the relevant facts have been established, a formal meeting will take place within ten working days of the commencement of the Formal Resolution Stage. At this meeting the Head will take the parents through all the relevant findings of the formal investigation. He/she will ensure that the parents have the opportunity of asking any relevant questions.
- 3.5 The Head, after due consideration, will write to the parents with their conclusions and decision. This will usually be within three working days of the meeting. The Head will also give reasons for his/her decision. Where there are exceptional circumstances resulting in a delay, the parents will be notified of this and informed of the new timescales as soon as possible.
- 3.6 If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Procedure.

Complaints against the Head

In the event the complaint against the Head progresses to the formal stage, it will be dealt with at governance level. The complaint can be submitted to the Head or the school office for forwarding, or addressed directly to the School at the address provided at the foot of this document. The Chair of Governors will nominate a person of suitable experience and seniority to manage the complaint at this stage. This may be, for example, a governor, a senior member of King's School Staff or another professional person, such as a recently retired Head. The Chair of Governors will not normally be directly involved in this stage, in order to permit his/her participation, should the matter need to progress to a panel hearing.

4. Stage 3 – Panel Hearing

4.1 What is a Complaints Panel Hearing?

- 4.1.1 A Complaints Panel (Complaints Panel) hearing is a forum for the review of the decision(s) taken at Stage 2 by the Head (or in circumstances where the formal complaint concerns the Head, a Governor appointed to act in his/her place). The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.
- 4.1.2 The role of the Panel is to establish the facts surrounding the complaints that have been made by considering:
- i. the documents provided by both parties and
 - ii. any representations made by the Parents and the Head

and to reach a decision, on the balance of probabilities, as to whether each complaint is made out in whole or in part.

- 4.1.3 It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, pupils or parents. The Panel may make recommendations on these matters or any other issues to the Head and / or to the Board of Governors, as appropriate.

4.2 How to Request a Complaints Panel Hearing

- 4.2.1 A request for a hearing before the Complaints Panel must be put in writing to the Clerk to the Governors within five working days of the decision complained of. The request will usually only be considered if the procedures at Stages 1 and 2 have been completed.
- 4.2.2 The written request should include:
- i. a copy of all relevant documents and full contact details
 - ii. details of all the grounds of the complaint and the outcome desired
 - iii. a list of the documents which the parents believe to be in the School's possession and wish the Panel to see and
 - iv. whether you propose to be accompanied to the hearing by someone who is legally qualified.
- 4.2.3 If assistance with the request is required, for example because of a disability, please inform the Clerk to the Governors of this and he/she will be happy to make appropriate arrangements.
- 4.2.4 The Clerk to the Governors will acknowledge the request for a hearing in writing within two working days of receipt during term time and within two months during the holidays.
- 4.2.5 Every effort will be made to enable the hearing to take place within 15 working days of receipt of the request. However, note that the Panel will not normally sit during half terms or school holidays, but in any event will convene a panel hearing within 10 weeks during School holidays.

4.3 Planning the Hearing

- 4.3.1 As soon as reasonably practicable, and in any event at least ten working days before the hearing, the Clerk to the Governors will send written notification to each party of the date, time and place of the hearing.
- 4.3.2 Copies of any additional documents you wish the Panel to consider should be sent to the Clerk to the Governors to be received at least five working days prior to the hearing.
- 4.3.3 You may be accompanied to the hearing by another person, for example a relative, teacher or friend. The Panel hearing is not legal proceedings and so legal representation is not necessary. If you do wish to be accompanied by someone who is legally qualified, you should have notified the Clerk to the Governors of this in your initial request for a Panel hearing. If you did not do so and you wish to be accompanied by a legally qualified person, you must inform the Clerk to the Governors of this at least five working days prior to the hearing and the parents should note that the Panel will wish to speak to them directly and this person will not be permitted to act as an advocate.
- 4.3.4 The Clerk to the Governors will circulate a copy of the bundle of documents to be considered by the Panel to all parties at least three working days prior to the hearing.

4.4 Composition of the Panel

- 4.4.1 The Panel will normally comprise three individuals who were not directly involved in the matters detailed in the complaint, including members of the Board of Governors and at least one independent member who has no connection with the governance, management and running of the School.
- 4.4.2 The parents may ask the Clerk to the Governors to tell them who has been appointed to sit on the Panel ahead of the hearing.
- 4.4.3 The Panel members will choose one of themselves to be the Chair of the Panel throughout the proceedings.

4.5 The Panel Hearing

- 4.5.1 The hearing will be conducted in an informal manner and parents may be accompanied if they wish by one other person.
- 4.5.2 All those present at the hearing shall have the opportunity to ask questions and make comments in an appropriate manner. The hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and / or may take written statements into account.
- 4.5.3 All statements made at the hearing will be unsworn. All present will be entitled, should they wish to write their own notes for reference purposes. A clerk appointed by the Panel will take a handwritten minute of the proceedings.
- 4.5.4 All those attending the hearing are expected to show courtesy, restraint and good manners or, after due warning, the hearing may be adjourned or terminated at the discretion of the Chair. If terminated, the original decision will stand. Any person who is dissatisfied with any aspect of the way the hearing is conducted must say so before the proceedings go any further and his / her comment will be minuted.
- 4.5.5 The Chair may, at his / her discretion, adjourn the hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.
- 4.5.6 A hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be made available directly or indirectly to the press or other media.

4.6 The Decision

- 4.6.1 The Panel will reach a decision on a balance of probabilities unless there is an agreed position. The decision, findings and any recommendations will be confirmed in writing to the parties including where relevant, the person complained about as well as the Chairman of Governors and the Head, by electronic mail, normally within five working days of the hearing. If the parents do not wish to receive the decision by electronic mail, they should inform the Clerk to the Governors of this so that a copy may be given or posted to them.

4.6.2 The decisions, findings and any recommendations will also be available for inspection on the School premises by the Chairman of Governors and the Head.

4.6.3 The completion of Stage 3 represents the conclusion of the School's complaints procedure.

4.7 Confidentiality and Data Protection

4.7.1 A written record will be kept of all complaints, and of whether they were resolved at Stage 2 or proceeded to a panel hearing and action taken by the School as a result of these complaints. The number of formal complaints registered during the preceding school year will be supplied to parents on request.

4.7.2 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 108 or 109 of the 2008 Act requests access to them.

4.7.3 In accordance with data protection principles, details of individual complaints will be kept only for as long as is considered to be reasonably necessary in the circumstances.

4.8 Complaints to Independent Schools Inspectorate

4.8.1 The School is inspected by ISI, an independent organisation which reports to the Government on schools. Parents may contact ISI if they have a concern or complaint.

4.8.2 ISI will usually expect parents to have followed and exhausted the School's formal complaints procedure before contacting them. However, you can report your concerns to ISI on 020 7600 0100 (ISI).

4.8.3 The number of complaints at Stage 2 or 3 is available on request.

To date, we have had no complaints to ISI, and no formal Stage 3 complaints.