



COMPLAINTS PROCEDURE FOR THE KING'S SCHOOL/HIGHFIELD PRESCHOOL

Introduction

The King's School has a strong reputation for the quality of the teaching and pastoral care provided for its pupils. However, if parents do have a complaint, they can expect it to be treated seriously by the School in accordance with this procedure.

The King's School makes its complaints procedure available to all parents of pupils, and of prospective pupils, on the School's website and in school Reception. The King's School will ensure that parents of pupils, and of prospective pupils, who request the complaints procedure are made aware that this document is published or available, and of the form in which it is published or available, and of the number of complaints registered under the formal procedure during the preceding school year. In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, The King's School will also make available, on request, to Ofsted, the Department for Education (DfE) or the Independent Schools Inspectorate (ISI), details of this Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year.

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 only exception to this is if the complaint is a review of a decision taken by the Headteacher to exclude or require the removal of a pupil under clause 7 of the School's Terms and Conditions, in which case such a review must be requested no later than five working days from the date of the decision to exclude or require the removal of a pupil.

The School will be mindful of its obligations under the Equality Act 2010 in the application of this policy. "Parent(s)" means the holder(s) of parental responsibility for a current or prospective pupil about whom the complaint relates.

What Constitutes a Complaint?

A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the School as a whole, about a specific department or about an individual member of staff. Any matter which a parent is unhappy about, and seeks action by the School, is within the scope of this procedure. A complaint is likely to arise if a parent believes that the School has done something wrong, failed to do something that it should have done or has acted unfairly.

Correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them. There may also be other circumstances in which the School is required to share information relating to a concern or a complaint in order to comply with its legal or regulatory obligations.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. You can be assured that your child will not be penalized for a complaint that you or your child raises in good faith.

THE THREE-STAGE COMPLAINTS PROCEDURE

Stage 1 - Informal Resolution

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



Parents of Primary pupils are able to briefly discuss concerns or questions at the end of the day at the school gate with the class teacher. This is not possible for Secondary parents due to the number of different teachers involved in their child's education. In either case, if parents have a complaint, they should normally contact the Head of Primary or Head of Secondary (as appropriate) in the first instance.

The Head of Primary or Head of Secondary will usually contact the relevant Class/Form/Subject teacher for further information on the matter raised.

In most cases, the matter will be resolved straightaway to the parents' satisfaction. If the Head of Primary or Head of Secondary cannot resolve the matter, they will refer it on to the Deputy Head / Headteacher for further consultation with parents/staff/pupils as appropriate to the matter raised.

Complaints made directly to the Headteacher will usually be referred to the Deputy Head/Head of Primary or Head of Secondary, unless the Headteacher deems it appropriate for them to deal with the matter personally.

The SLT member who deals with a complaint will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved **within 7 working days**, or in the event that the school and the parent fail to reach a satisfactory resolution, then parents will be advised to proceed with their complaint to the next stage of this procedure.

If, however, the complaint is against the Headteacher, parents should make their complaint directly to the Chair of Trustees whose contact details are available from the School (email [Office](#)) on request.

Stage 2 - Formal Resolution

If the complaint cannot be resolved on an informal basis, then the parents should put their complaint, in writing, to the Headteacher. The Headteacher may in some circumstances deem it appropriate to nominate a staff member to hear the complaint and manage the Stage 2 complaint process. The Headteacher (or their nominee) will decide, after considering the complaint, the appropriate course of action to take.

In most cases, the Headteacher (or their nominee) will meet with or speak to the parents concerned, normally within 5 working days of receiving the complaint, to discuss the matter. If possible, an agreement will be reached at this stage. It may be necessary for further investigations to be carried out. The Headteacher (or their nominee) will determine who should carry out any investigation and this may be someone external to the School.

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

Once the Headteacher (or their nominee) is satisfied that, so far as is practicable, all the relevant facts have been established, a decision will be made, and parents will be informed of this decision in writing. The Headteacher (or their nominee) will also give reasons for their decision. In most cases, the Headteacher will make their decision and provide the parents with reasons **within 15 working days** of the complaint being put in writing.

If the complaint is against the Headteacher, the Chair of Trustees will nominate an appropriate person to handle the complaint. The Stage 2 process described above will then be followed.

If parents are still not satisfied with the decision, they should proceed to the final stage of this Procedure.

Stage 3 - Panel Hearing

If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they should do so in writing to Ashraf Farahat, Chair of Trustees c/o the Company Secretary, clerktotrustees@thekingsschool.com **within 14 days of receiving the decision at Stage 2**, 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 complaint 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 in writing to the Chair of Trustees (c/o the [Company Secretary](#)) in advance of the original deadline, setting out the further time period requested and the reason for this. This will be considered. In the event the parents are unable to provide their complaint within the time period stipulated (including to the extent applicable of any extensions if agreed) the School reserves the right to conclude the complaint process and not progress the matter to Stage 3.

The Chair of Trustees, Ashraf Farahat, on behalf of the Trustees, who calls 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 Trustees or the Company Secretary/clerk to the Panel will appoint one Panel member to act as Chair of the Panel. The appointed Chair of the Panel, on behalf of the Panel, will then acknowledge the complaint **within 5 working days** and schedule a hearing to take place **within 20 working days**.

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 hearing or further investigation be carried out. Copies of such particulars shall be supplied to all parties **not later than 5 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 2 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 Panel will decide whether it would be helpful for witnesses to attend.

The remit of the Panel shall be at the discretion of the Chair of Trustees 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 2 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.

The Panel will write to the parents informing them of its decision and the reasons for it, normally **within 5 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 Trustees and the Stage 2 decision-taker. A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the school premises for the Chair of Trustees and the Headteacher.

Time frame for Dealing with Complaints

All complaints will be handled seriously and sensitively and within clear and reasonable timescales.

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 20 working days** if the complaint is lodged during term-time and as soon as practicable during holiday periods.



The Appeal Panel Hearing, Stage 3, will be completed within a further **30 working days**.

Please note that, for this procedure, working days refer 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.

Persistent correspondence

Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, this will be regarded by the School as vexatious and outside the scope of this procedure.

Recording Complaints and use of personal data

The Parent Complaint Memorandum, available from the School Reception, should be completed for all complaints.

Following resolution of a complaint, the School will keep a written record of all formal complaints, whether they are resolved at the Stage 1 (informal stage), the formal stage (Stage 2) or proceed to a Panel hearing (Stage 3) 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. When dealing with complaints the School (including any Panel member appointed under the Stage 3 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 (*which may include the name of a person(s) being complained about*)
- 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 and/or Data Protection (GDPR) Policy, 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 Data Protection (GDPR) Policy.

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, Data Protection (GDPR) Policy and Data Retention 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, safeguarding or data protection obligation (e.g., in response to a subject access request) which prevails over the requirement to maintain the records as confidential.



WRITTEN COMPLAINTS RELATING TO THE REQUIREMENTS UNDER THE STATUTORY FRAMEWORK FOR THE EARLY YEARS FOUNDATION STAGE (EYFS):

Parents of EYFS children should follow the three stages of this Complaints Procedure. If parents remain dissatisfied and their complaint is about the School's fulfilment of the EYFS requirements, then parents may take their complaint to Ofsted or the ISI. Parents will be notified by Ofsted or the ISI of the outcome of the investigation into their complaint **within 28 days** of the complaint being received.

The King's School will provide Ofsted/ISI, on request, with a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint. The record of any such complaints will be kept for at least three years (in accordance with the School's Privacy Notice and Data Retention Policy).

Parents may complain directly to Ofsted or to ISI if they believe the provider is not meeting the EYFS requirements. Schools must make available details of how to contact Ofsted and/or the ISI:

Ofsted can be contacted on 0300 123 1231 or by email: enquiries@ofsted.gov.uk

Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD

ISI can be contacted on 020 7600 0100 or by email: concerns@isi.net

ISI, CAP House, 9-12 Long Lane, London EC1A 9HA

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Legislation: **Education (Independent School Standards) (England) Regulations 2010; The Education (Independent School Standards) Regulations 2014; Children's Act 1989; Section 39(1)(a) of the Childcare Act 2006; Education and Skills Act, 2008; and Equality Law 2010.**

