



PARENTS’/LEGAL GUARDIAN COMPLAINTS PROCEDURE & POLICY

This policy is applicable to all pupils in the school, including those in Boarding and in the EYFS.

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Person/Body reviewing:	BPHC/Executive Board/Personnel Committee
Date of next review (except in the case of relevant legislation):	01.05.20
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PARENTS’/LEGAL GUARDIAN COMPLAINTS PROCEDURE AND POLICY

Introduction

King's Rochester has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if Parents/Legal Guardian do have a complaint, they can expect it to be treated by the School in accordance with this Procedure. This policy is applicable to parents of all pupils in the school, including those in the EYFS.

The School provides accommodation and complies with Standard 5 of the National Minimum Standards for Boarding Schools or where applicable Standard 4 of the National Minimum Standards for Residential Special Schools.

Record keeping

- A written record is kept of all formal complaints, and
 - whether they are resolved at the preliminary stage or proceed to a panel hearing; and
 - action taken by the school as a result of these complaints (regardless of whether they are upheld)
- Correspondence, statements and records relating to individual complaints are 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.
- For EYFS, a written complaint will be investigated and parents notified of the outcome within 28 days of receiving the complaint. The school will make available to Ofsted and ISI, on request, their record of complaints. If they believe that the school is not meeting the EYFS requirements, parents can contact ISI and Ofsted. Those contact details are:

Independent Schools Inspectorate: <ul style="list-style-type: none">● Cap House, 9-12 Long Lane, London, EC1A 9HA.● Email: concerns@isi.net● Telephone: 020 7600 0100	Ofsted: <ul style="list-style-type: none">● Piccadilly Gate, Store Street, Manchester, M1 2WD.● Email: enquiries@ofsted.gov.uk● Telephone: 0300 123 4666
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- Complaints in the Senior School brought to the attention of a tutor, housemaster, deputy, the Headmaster or Principal must be noted in the Complaints Book held in the Main School Office in Satis House; those to

colleagues in the Preparatory School and Pre-Preparatory School must similarly be recorded on the Complaints Log in their respective offices.

- This procedure does not apply to prospective pupils. It does apply to former pupils, but only if the complaint was received within 28 calendar days of the pupil leaving the school. This policy does not cover exclusions.

Informal Resolution

- It is hoped that most concerns, issues or complaints will be resolved quickly and informally within the section of the school relevant to your child.
- If Parents/Legal Guardian have any complaint concerning their child, they should normally contact their son/daughter's tutor, class or form teacher (hereinafter referred to as "teacher") in the first instance – either verbally or in writing. In most cases, the matter will be resolved straightaway by this means to the Parents/Legal Guardian satisfaction.
- If the teacher cannot resolve the matter alone, it may be necessary for him or her to consult a senior member of staff within their section of the school, as appropriate.
- The teacher or senior member of staff will make a written record of all concerns and complaints raised and the date on which they were received. Teachers will aim to respond within 2 school term working days or refer the issue to the senior member of staff for further attention and response within this time-frame.
- In the event that a satisfactory resolution is unable to be reached, then Parents/Legal Guardian will be advised to proceed with their complaint in accordance with Stage 1 of this Procedure.

Stage 1 – Formal Complaint

- If the complaint cannot be resolved on an informal basis, then the Parents/Legal Guardian should put their complaint in writing to the Head of the relevant part of the school or Principal. They will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Head or Principal will speak to the Parents/Legal Guardian concerned, normally within 2 school term working days of receiving the

complaint, to discuss the matter. If possible, a resolution will be reached at this stage.

- It may be necessary for the Head or Principal to carry out further investigations and these will be carried out normally within 5 school term working days of the complaint being received.
- The Head or Principal will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Head or Principal is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and Parents/Legal Guardian will be informed of this decision in writing. The Head or Principal will also give reasons for his/her decision.
- If Parents/Legal Guardian are still not satisfied with the decision, they should proceed to Stage 2 of this Procedure.
- If the complaint is concerning the Head of the Pre-Preparatory School or Preparatory School, then it should be addressed to the Principal. If the complaint is concerning the Principal it should be addressed to the Chair of the Governing Body, c/o the Clerk to the Governors at Satis House. The Chair will then appoint a governor who will follow the procedure as set out under Stage 1.

Stage 2 – Reference to the Chair of Governors

If you are dissatisfied with the Head or Principal's decision, under Stage 1, the complaint may be renewed in writing to the Chair of the Governing Body (Chair).

- Parents/Legal Guardian should write to the Chair within five working days of receiving the Head or Principal's Stage 1 decision. The letter to the Chair should give full details of your complaint and enclose all relevant documents and full contact details. Your letter will normally be acknowledged by telephone, e-mail or letter within three school term working days during term time, indicating the action that is being taken and the likely time scale.
- Parents/Legal Guardian must also state the grounds on which they are progressing the complaint and the outcome which they seek.
- The Chair may ask a senior member of staff to act as Investigator and / or may involve a fellow Governor. The Investigator may request additional information

and will probably wish to speak to Parents/Legal Guardian personally and to others who have knowledge of the circumstances. The outcome of the investigation will be reported to the Chair who will then notify the Parents/Legal Guardian by telephone, e-mail or letter of the decision and the reasons for it. Written records will be kept of all meetings and interviews held in relation to the complaint.

- The Chair's aim will be to inform any complainant of the outcome of an investigation and the resolution to the complaint within ten school term working days from the receipt of the Stage 2 complaint. Please note that any complaint received within one month of the end-of-term or half-term is likely to take longer to resolve owing to the presence of School holidays and the unavailability of personnel.
- If Parents/Legal Guardian are not satisfied with the Chair's decision, they may ask for the complaint to be referred to the Complaints Panel, by writing to the Clerk to the Governors.
- The Chair may decide, at his / her discretion to progress the matter automatically to Stage 3.

Stage 3 – Reference to the Complaints Panel

A Complaints Panel hearing is a review of the decisions taken by the Chair. The Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure. Applications for complaints to be heard by the Complaints Panel can only be made by the Chair (under the terms of Stage 32 or by Parents/Legal Guardian who re-main dissatisfied after Stage 2 of this policy.

- Parents/Legal Guardian must state the grounds on which they are progressing the complaint and the outcome which they seek.
- The Chair (or his / her deputy) will convene a panel of 3 people who were not directly involved in the matters detailed in the complaint; at least one of these three will be independent of the management and the running of the School. The panel will be convened as soon as reasonably practicable, but the Panel will not normally sit during half-terms or school holidays.
- The Panel's task is to establish the facts surrounding the complaint/s that has/have been made by considering the documents provided by both parties and any representations made by the Parents/Legal Guardian, the Principal and/or the Chair.

- If, after establishing the facts, the Panel consider that the complaint is made out, they will uphold the complaint. If the Panel consider that the complaint is not made out, they will dismiss the complaint. They will make these decisions on the balance of probabilities.
- It is not within the powers of the Panel to make any financial award, nor to impose sanctions on staff, pupils, or Parents/Legal Guardian. The Panel may make recommendations on these or any other issues to the Principal or to the full body of Governors as appropriate.
- To request a hearing before the Complaints Panel please write to the Clerk to the Governors within five school term working days of the decision complained of. Please ensure that copies of all relevant documents and full contact details accompany the letter to the Clerk. The letter should state the outcome desired and all the grounds of the complaint. The Clerk should also be sent a list of the documents which are believed to be in the School's possession and wish the Panel to see. The Clerk will acknowledge the request in writing within three school term working days. If assistance is required with the request, for example, because of a disability, please contact the Clerk who will be happy to make appropriate arrangements.
- Every effort will be made to enable the Panel hearing to take place within 21 working days of the receipt of your request. As soon as reasonably practical and in any event, at least ten working days before the hearing, the Clerk will send you written notification of the date, time and place of the hearing, together with brief details of the Panel members who will be present.
- Parents/Legal Guardian will be invited to attend the hearing and may be accompanied by one other person such as a relative, teacher, or friend. It is not necessary for that person to be legally qualified but if Parents/Legal Guardian do wish to be accompanied by a legally qualified person, acting in their professional capacity, please notify the School at least five school term working days before the hearing. A child aged 13 and above may attend part or all of the hearing at the discretion of the Chair. Copies of any additional documents for the Panel to consider should be sent to the Clerk at least three clear school term working days prior to the hearing.
- The hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in an informal manner.

- 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. The Clerk will be asked to take a handwritten minute of the proceedings.
- The Chair will conduct the hearing in such a way as to ensure that all those present have the opportunity of asking questions and making 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.
- 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 by the Chair due to the conduct of the complainants, 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.
- 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.
- After due consideration of the matters discussed at the hearing, the Panel shall reach a decision unless there is an agreed position. The Panel's decision, findings and any recommendations may be notified orally at the hearing or subsequently and shall be confirmed in writing to by electronic mail where appropriate within seven school term working days. If preferred, a copy will be given or posted to you. The decisions, findings and any recommendations will be available for inspection on the School premises by the Governing Body and the Head. Reasons for the decision will be given. The decision may include recommendations and will be sent to Parents/Legal Guardian, the Chair of the Governing Body, the Principal / Head and, where relevant, any person about whom the complaint has been made.
- 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, other media, or any third party.

Formal complaints in the academic year 2018/19.

Boarding: 0

Other: 8