

## Parental Complaints Policy

(This policy applies to all pupils including those in the EYFS)

|             |                                      |
|-------------|--------------------------------------|
| Adopted     | September 2014                       |
| Revised     | March 2015                           |
|             | December 2016                        |
| Reviewed    | March 2017                           |
|             | March 2018                           |
|             | October 2018                         |
|             | March 2019                           |
|             | March 2020                           |
| Next Review | March 2021                           |
| Owner       | Principal Deputy Head / Head of Prep |

| DATE OF REVIEW | AUTHOR | PAGE / PARA      | SYNOPSIS OF AMENDMENT   |
|----------------|--------|------------------|---|
| Dec 16         | PDH    | Para 7           | Inserted new para 7: “ <b>Mediation.</b> At any stage of the disciplinary process, the School will consider the use of mediation to deal with difficult and sensitive matters involving pupils with different needs.”             |
| Feb 17         | PDH    | Page 8           | Provision that findings of all complaints will be logged, regardless of whether the complaint is upheld.  |
| Feb 17         | PDH    | Page 8           | Provision for Secretary of State to see complaints records under Sect 108 and 109 of the 2008 Act   |
| Feb 17         | PDH    | Page 4           | Clarification that complaints regarding exclusions are dealt with under the terms of the Suspension and Exclusion Policy  |
| Feb 17         | PDH    | Page 4           | Clarification that the policy applies only to parents of pupils currently at Mount Kelly.   |
| Mar 18         | PDH    | Page 10          | Updated number of complaints received in 2016-17  |
| Oct 18         | PDH    | Page 5<br>Para 5 | Clarification on process and timescale for a Level 2 complaint  |
|                |        | Page 10          | Updated number of complaints received in 2017-18  |
| Mar 19         | PDH    | Pages            | Clarification of what the Investigating Officer should submit in their report: <i>the Investigating Officer will write formally to the complainant, with details of the findings, actions taken, and possibly recommendations</i> |
|                |        | Page 10          | Updated number of complaints received in 2018-19  |
| Mar 20         | PDH    | Page 6           | Clarification on the process for liaison between the Head/Head of Prep and the Investigating Officer.   |

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## 1. Introduction

The Mount Kelly Foundation aims to provide excellence in its academic and extra-curricular provision and in its pastoral care, within a caring and happy environment for its pupils and staff. There may, however, be occasions when parents or carers are dissatisfied and wish to make a complaint.

The primary aim of this policy is to set out the means by which complaints may be resolved as fairly and quickly as possible. Complaints will be dealt with in a sensitive, impartial and confidential manner. We believe that it is beneficial to deal with a complaint informally wherever possible and as speedily as is practicable.

This policy is available to parents and carers on the Mount Kelly website and is also available in hard copy, but applies only to current pupils. Former parents may only raise a complaint that relates to the period of time that their child was a pupil at Mount Kelly.

## 2. What is a complaint?

A complaint is an expression of dissatisfaction made by a parent or carer with a legitimate association or interest in Mount Kelly. It may be about school policy, procedures, the conduct, actions or omissions of members of staff employed by the school or about the standards of teaching and learning.

It is important to note that concerns are not the same as complaints and it is hoped that any general concerns can be dealt with swiftly and informally without having to invoke the complaints policy and procedure.

This policy does not cover suspensions and exclusions. Complaints regarding suspensions and exclusions should be made in accordance with the School's Suspension and Exclusion Policy.

## 3. Procedure

This policy makes separate provision for complaints relating to **(a) The Prep** and **(b) The College**.

## 4. Stage One – Local resolution of the problem (Informal Stage)

(a) **The Prep:** If parents have a complaint they should normally contact their son's/daughter's Form Teacher. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Form Teacher cannot resolve the matter alone, it will be necessary for him/her to consult the Deputy Head (Academic) or the Head of Prep.

Complaints made directly to the Head of Prep will usually be referred to the relevant Form Teacher or Deputy Head (Academic), unless the Head of Prep deems it appropriate for him/her to deal with the matter personally. Complaints about the Head of Prep should be directed to the Principal of the Foundation.

The Form Teacher will keep a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved within 10 days or in the event that the relevant member of staff and the parent fail to reach a satisfactory resolution then parents will be advised to proceed with their complaint in accordance with stage two of this procedure.

- (b) **The College:** If parents have a complaint they should normally contact their son's/daughter's Hm. In many cases the matter will be resolved straightaway by this means to the parents' satisfaction. If the Hm cannot resolve the matter alone, it will be necessary for him/her to consult the Principal Deputy Head or Principal of the Foundation.

Complaints made directly to the Principal will usually be referred to the relevant Hm or to the Principal Deputy Head, unless the Principal deems it appropriate for him to deal with the matter personally. Complaints about the Principal should be directed to the Chair of Governors.

The Hm 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 10 days or in the event that the relevant member of staff and the parent fail to reach a satisfactory resolution then parents will be advised to proceed with their complaint in accordance with stage two of this Procedure.

## 5. Stage Two – Formal Stage

- (a) **The Prep:** If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Head of Prep. Acknowledgement of receipt of the complaint will be sent to the complainant by the Head of Prep within two days of its receipt, though this period may be extended should the School be in recess.

The Head of Prep may wish to meet the parents concerned to discuss the matter, and would aim to do so within five days of receiving the complaint. This time period may be extended during school holidays, but should not exceed two working weeks. It may be that the issue can be resolved at this stage.

If this is not the case, however, it is likely that the Head of Prep will wish to carry out further investigations, and will appoint an Investigating Officer for this purpose.

The Head of Prep and the Investigating Officer will keep written records of all meetings and interviews held in relation to the complaint, and may be accompanied in those meetings.

The Investigating Officer will liaise directly with the complainant, and will most likely wish to interview the complainant.

Once the Head of Prep is satisfied that, so far as is practicable, all of the relevant facts have been established, s/he will authorise the Investigating Officer to write formally to the complainant, with details of the findings, actions taken, and possibly recommendations, as well as the process for requesting a Stage 3 complaint panel hearing, should the complainant remain dissatisfied.

The Investigating Officer should complete his/her investigation and submit their findings and recommendations to the complainant within two weeks of being appointed, though this timescale may be altered to account for school holidays.

In the event of a complaint being made against the Head of Prep, the complaint should be made to the Principal who will be responsible for responding to the parent concerned and will investigate it in the same way that a complaint about any other teacher would be handled.

- (b) **The College:** If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Head or the Principal Deputy Head. Acknowledgement of receipt of the complaint will be sent to the complainant within two days of its receipt.

The Head may wish to meet the parents concerned to discuss the matter, and would aim to do so within five days of receiving the complaint. This time period may be extended during school holidays, but should not exceed two working weeks. It may be that the issue can be resolved at this stage.

If this is not the case, however, it is likely that the Head will wish to carry out further investigations, and will appoint an Investigating Officer for this purpose.

The Head and the Investigating Officer will keep written records of all meetings and interviews held in relation to the complaint, and may be accompanied in those meetings.

The Investigating Officer will liaise directly with the complainant, and will most likely wish to interview the complainant.

Once the Head is satisfied that, so far as is practicable, all of the relevant facts have been established, the Head will authorise the Investigating Officer to write formally to the complainant, with details of the findings, actions taken, and possibly recommendations, as well as the process for requesting a Stage 3 complaint panel hearing should the complainant remain dissatisfied.

The Investigating Officer should complete his/her investigation and submit their findings and recommendations to the complainant within two weeks of their appointment, though this timescale may be altered to account for school holidays.

In the event of a complaint being made against the Principal, the complaint should be made to the Chairman of Governors (or delegated governor in his/her absence) and a nominated governor will investigate it in the same way that a complaint about any other teacher would be handled. The nominated governor will be responsible for responding to the parent concerned.

## 6. Stage Three – request for a panel hearing

- (a) **The Prep:** If complainants are not satisfied with the response at Stage Two they should make a request in writing or via email (marked 'strictly confidential') to the Principal of the Foundation. The complaint will be referred to a panel consisting of two members of the Governing Body (not the Chairman or any Governor who has been responsible for dealing with the matter at Stage Two) and one independent person who shall not be part of the management or running of the Foundation. The panel members shall not be directly involved in the matters detailed in the complaint.

NB. The Department for Education gives the following guidance on the identity of an independent panel member:

*“Our general view is that people who have held a position of responsibility and are used to analysing evidence and putting forward balanced arguments would be suitable. Examples of persons likely to be suitable are serving or retired business people, civil servants, heads or senior members of staff at other schools, people with a legal background and retired members of the Police Force might be considered.”*

Each of the panel members shall be appointed by the Principal of the Foundation and Chairman of Governors who, on behalf of the panel, will then acknowledge the complaint within two days of receipt of the request for a panel hearing, and will schedule a hearing to take place as soon as practicable. This will normally be within 21 days of the request being made, though in exceptional and more complex cases up to two months may be required.

The panel will review all evidence considered during the previous investigations and the responses. 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. Copies of such particulars shall be supplied to all parties not later than two days prior to the hearing.

Complainants have the right to attend the panel hearing and to be accompanied by one other person, and the school should be notified 14 days in advance who this will be.

If possible, the panel will resolve the parents' complaint immediately 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 all facts they consider relevant, the panel will reach a decision and may make recommendations, which it shall complete within 14 days of the hearing. The panel chair will write to the parents informing them of its decision and the reasons for it. The decision of the panel will be final.

A copy of the panel's findings and recommendations will be sent by electronic mail or otherwise given to the complainant and, where relevant, to the person complained about or who has responsibility for the area being complained about. This will be provided to all parties within 21 days of the completion of the panel hearing. They will be available for inspection on the school premises by the Head of Prep, The Principal of the Foundation and the Chairman of Governors.

Whether or not a hearing takes place, the findings and decision of the panel together with any recommendation they make will be provided in writing to all parties within 28 days.

- (b) **The College:** If the response at Stage Two is felt not to be satisfactory, at the complainant's request made in writing or via email (marked 'strictly confidential') to the Chairman of Governors, the complaint will be referred to a panel consisting of two members of the Governing Body (not the Chairman or any Governor who has been responsible for dealing with the matter at stage two) and one independent person who shall not be part of the management or running of the Foundation. The panel members shall not be directly involved in the matters detailed in the complaint.

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Whether or not a hearing takes place, the findings and decision of the panel together with any recommendation they make will be provided in writing to all parties within 28 days.

## **7. Mediation**

At any stage of the complaint process, the School will consider the use of mediation to deal with difficult and sensitive matters involving pupils with different needs.

## **8. Recording of Complaints**

A written record is kept of all complaints, and of whether they are resolved at the preliminary stages or proceed to a panel hearing. In the case of Mount Kelly Prep a complaints log will be maintained by the Head of Prep; in the case of Mount Kelly College a complaints log will be maintained by the Principal Deputy Head. The complaints log will include details of all action taken, regardless of whether the complaint was upheld.

All correspondence, statements and records of complaints 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.)

The written record of all complaints is reviewed regularly by the Principal of the Foundation or the Head of Prep.

Parents of children in EYFS have the right to complain directly to the Registration Authority (OFSTED) on 0300 123 1231 should they believe that the school is not meeting the EYFS requirements.

Furthermore in the case of complaints from parents of children in EYFS, a written record of all complaints and their outcomes/action taken must be made available to the Registration Authority (Ofsted and ISI) on request.

A record of complaints is kept for a minimum of three years and any complaints relating to pupils in the EYFS will be held for at least three years.

Being OFSTED registered, the school will notify the complainant of the outcome within 28 days of the receipt of the complaint. The school will provide OFSTED/ISI with a written record of complaints and any action taken on request.

At any stage of the complaints procedure parents may communicate with, appeal or complain to OFSTED [www.ofsted.gov.uk](http://www.ofsted.gov.uk) and/or the Independent Schools Inspectorate [www.isi.net](http://www.isi.net).

Parents can make a complaint to ISI or Ofsted and contacts are below:

|  |   |
|--|---|
| Independent Schools Inspectorate<br>Ground Floor<br>9-12 Cap House<br><br>Long Lane<br>London EC1A 9HA | Ofsted,<br>Piccadilly Gate,<br>Store Street,<br>Manchester,<br>M1 2WD |
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Telephone 020 7600 0100 or 020 7710 9900

This policy has been drawn up with regard to Standard 18 of the National Minimum Standards for Boarding Schools January 2013 and Part 7 of The Education (Independent School Standards) (England) Regulations 2010.

The total number of Stage Two complaints received between September 2018 and March 2019 is 2.