

## THE KING'S SCHOOL IN MACCLESFIELD



### COMPLAINTS POLICY AND PROCEDURE (FOUNDATION)

The School has long prided itself on its quality of the teaching and pastoral care as well as its close relationships with parents. It is hoped that most concerns will be resolved quickly and informally. Anyone who has a complaint can expect it to be treated by the School in accordance with the following Procedure.

This policy and procedure aims to:

- Offer parents the opportunity either informally or formally to express concerns about decisions taken by the school
- Ensure swift responses to expressed concerns
- Resolve concerns informally if possible

This policy and procedure has been approved by the Governing Body. It provides guidelines for handling complaints. It takes account of part 7 of the Schedule to the Education (Independent School Standards) (England) Regulations 2014, as amended. The procedures set out below may be adapted as appropriate to meet the policy aims and circumstances of each case.

**What constitutes a complaint:** A complaint is an expression of dissatisfaction with a real or perceived problem. It may pertain to an individual member of staff, a department or the school as a whole. A complaint is likely to arise if a parent feels that the school has done something wrong, failed to act or acted in an unfair manner.

**Concerns or complaints relating to issues of Child Protection:** Any concern or complaint relating to an issue of Child Protection should be raised with the school's Child Protection Officers / Designated Senior Persons.

Anonymous complaints will not normally be investigated.

Appendix 1 sets out how the School will manage serial and unreasonable complaints. This is based on the principles of the model policy provided by the Department for Education.

Complaints may be raised by a parent or parents of current pupils. This policy will continue to apply to a complaint which is ongoing when a pupil leaves the School if the complaint was initially raised when the pupil was registered at the School

## **PROCEDURE**

**Informal and Formal Procedures:** This policy describes two separate procedures, one formal, one informal. It is usual for informal procedures to be followed in the first instance. The School treats all concerns seriously. Most can be resolved informally, but where this proves unsuccessful the formal complaints procedure should be initiated.

### **Stage 1: Informal procedures**

It is hoped that the vast majority of complaints can be dealt with via this process. The informal procedures have three elements. It is intended and hoped that parents make use of all three elements prior to commencing formal procedures.

- A. Informal raising of a concern or difficulty notified orally or in writing to a member of staff
- B. An informal complaint in writing to the Principal of the relevant Division
- C. An informal discussion with the Head of Foundation or nominated Deputy Head

### **Formal procedures:**

**Stage 2:** A formal complaint in writing to the Head of Foundation

**Stage 3:** A reference to the Complaints Panel

Separate procedures apply if the Head of Foundation expels or requires a student to leave the School and the parents seek a Governors' Review of that decision.

### **General Timeframes**

All complaints will be acknowledged within 3 working days of receipt. Complaints which are raised in the School holidays will usually be deemed to have been received on the first working day after receipt. (Monday to Friday, when the School is open during term time. Term dates are published on the School's website.)

The school aims to complete the Informal Procedures within 20 working days of the receipt of the complaint. This timeframe may differ if the complaint is made during or close to a holiday period.

The school aims to complete the Formal Procedures within 28 working days of receipt of the complaint at Stage 2. This timeframe will differ if the complaint is made during or close to a holiday period.

The School aims to resolve all complaints efficiently and promptly. Whenever possible, a complaint should be raised within three months of the incident, or where a series of associated incidents have occurred. The School may consider complaints made after three months, depending on the circumstances and the reasons for the delay.

### **Informal Resolution process:**

#### **Informal Resolution via a member of staff**

It is hoped that most concerns will be resolved in this manner. Concerns should be raised initially as follows:

**Educational issues** - if the matter relates to the classroom or the curriculum or special educational needs, one should initially speak or write to the Form Tutor. If the Form Tutor cannot resolve the matter alone, it may be necessary to consult the Head of Department, Deputy Head (Academic) or other appropriate member of staff.

**Pastoral care issues** - for concerns relating to matters outside the classroom, one should initially speak or write to the Form Tutor. If the Form Tutor cannot resolve the matter alone, it may be necessary to consult the Head of Year, Vice Principal or Principal.

**Disciplinary matters** - a problem over any disciplinary action taken or a sanction imposed should be raised first of all with the Form Tutor, if not resolved, with the Head of Year, Vice Principal or Principal.

**Financial matters** - a query relating to fees or extras should be stated in writing to the Director of Finance.

If a complaint cannot be resolved with the approached member of staff, then the complaint should be put in writing to the Principal of the relevant Division. This will then be dealt with as set out below.

#### **Informal Resolution via the Principal of the relevant Division**

The Principal of the Division will investigate the concern (or delegate to an appropriate member of staff) and consider appropriate action based on the information available. The Principal will then communicate the proposed action (if any) to the complainant.

If a complaint cannot be resolved with the appropriate Principal, then the complaint should be put in writing to the Head of Foundation. This will then be dealt with in as set out below.

#### **Informal Resolution via the Head of Foundation / Deputy Head**

The Head of Foundation will consider the matter or ask a Deputy Head to do so. The Head of Foundation or Deputy Head will then meet with the complainant to discuss and hopefully resolve the issue.

If a complaint cannot be resolved informally with the Head of Foundation, then the complainant should lodge a formal complaint in writing to the Head of Foundation. This will then be dealt with in accordance with Stage 2 below.

#### **Formal Resolution process**

##### **Stage 2: Formal Complaint to the Head of Foundation**

If the complainant is dissatisfied with the response under the informal process as detailed above, the complaint may be formally renewed in writing to the Head of Foundation, within seven working days of the Stage 1 outcome. Any request to deal with an issue as a 'formal complaint' will only normally be considered if procedures at Stage 1 have been completed.

The Head of Foundation will arrange for the complaint to be investigated following procedures equivalent to those described in the informal process (above). When the Head of Foundation is satisfied that he has established all the material facts and relevant policies, so far as is practicable, he will notify the complainant of his decision in writing and the

reasons for it.

### **Stage 3: Reference to the Complaints Panel**

If the complainant is dissatisfied with the Head of Foundation's decision under Stage 2, the complaint may be renewed in writing to the Clerk to the Governors. Any request for a hearing before the Complaints Panel should be made in writing to the Director of Finance, who acts as Clerk to the Governors, within seven working days of the decision complained of. The request will only be considered if procedures at Stages 1-2 have been completed. A copy of all relevant documents and full contact details should accompany the letter to the Clerk. The letter should state the desired outcome and all the grounds of the complaint. The Clerk should also be sent a list of the documents which the complainant believes the Panel should see. The Clerk will acknowledge the request in writing within three working days.

The Clerk will convene the Complaints Panel as soon as reasonably practicable. The complainant will be required to provide potential availability to the Clerk in order to assist with coordinating the Panel. The Panel will not sit during school holidays.

The school aims to complete this stage within 28 working days. In the event that all reasonable efforts to arrange a Panel at a time and date to suit the Complainant have been unsuccessful, the complaint will be heard in the absence of the Complainant and a written outcome sent to the Complainant.

Complaints relating to the EYFS setting will be completed within 28 days. The Panel will consist of at least three members, two of whom will be Governors. These members will not have been directly involved in the matters detailed in the complaint. One member of the Panel shall be an independent member who is not involved in the management and running of the School. On request, the Clerk will inform the complainant of who has been appointed to sit on the Panel.

As soon as reasonably practicable, the Clerk will send written notification of the date, time and place of the hearing together with brief details of the Panel members who will hear it.

The complainant will be asked to attend the hearing and may be accompanied by another other person such as a relative, teacher, or friend. Legal representation is not normally appropriate. Copies of additional documents the complainant wishes the Panel to consider should be sent to the Clerk at least three days prior to the hearing.

After due consideration of the matters discussed at the hearing, the Panel shall reach a decision. Reasons for the decision will be given. The decision may include recommendations and will be sent in writing to the complainant, the Chair of the Governing Body, the Head and, where relevant, any person about whom the complaint has been made.

The decision of the Panel is final and the School will not enter into further correspondence on the matter with the Complainant.

**Contacting the Independent Schools Inspectorate:** The School is inspected by the Independent Schools Inspectorate (ISI), an independent organisation which reports to the Government on schools. Parents have the right to contact ISI if they have a complaint. ISI will usually expect parents to have followed the School's formal complaints procedure before contacting them. The contact details for ISI are: The Independent Schools Inspectorate, CAP House, 9-12 Long Lane, London EC1A 9HA.

**Recording of complaints and confidentiality:** All complaints, whether formal or informal, are recorded within the school and are available for inspection on the school premises by the Chair of Governors or Head of Foundation. Details of how and what stage the complaint resolved will be retained. Other details that may be recorded could include

Date of initial complaint

Name of parent(s)

Name of pupil(s)

Description of issue

Records of investigation (if applicable)

Witness statements (if applicable)

Name of member(s) of staff who handled the complaint

Copies of correspondence (including emails and records of conversations / meetings)

Whether resolved following formal procedures or panel hearing

Action taken by the school as a result of the complaint (whether upheld or not)

The record of Formal Procedures is kept for 2 years.

Correspondence, statements and records relating to complaints will be kept confidential except, as required by paragraph 33(k) (Independent Schools Standards) (England) Regulations 2018, where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access to them.

Formal complaints at King's are rare and in the last academic year there were three.

## **Appendix 1**

### **Managing serial and unreasonable complaints**

The School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced

- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the Head of Foundation or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues, the Head of Foundation will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from the School.

Clause 66(e) of the School's terms and conditions give the Head of Foundation the right to require parents to withdraw the pupil from the school if one, or both parents have behaved unreasonably, including but not limited to if they treated the School or members of its staff or any member of the School community unreasonably or acted in a way which could bring the School into disrepute. In these circumstances, and at the sole discretion of the Head, Withdrawal of the Pupil by the Parents may be permitted as an alternative to Removal being required.

Author: Director of Finance

Approved: Governing Body

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Next Review Date: September 2027