



King's Schools

TAUNTON

Parental Complaints Policy

Responsibility

Individual: Director of Finance and Operations

Review

Last review date: December 2020

Next review date: December 2021

References:

- A: The Education (Independent School Standards) Regulations 2014 as amended by the Independent Education Provisions in England (Inspection Fees) and Independent School Standards (Amendments) 2018 (**ISS Regulations**)
- B: Boarding Schools: National Minimum Standards, April 2015
- C: ISI Commentary on the Regulatory Requirements, September 2020 (**ISI Commentary**)
- D: The Statutory Framework for The Early Years Foundation Stage, March 2017
- E: The Independent Schools Standards Guidance for Independent Schools, April 2019

1. Introduction

- 1.1** King's Schools Taunton Limited (the School) operates two schools, King's College, Taunton and King's Hall School. It 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 of the three stages 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. The dates of terms are on the Schools' websites.
- 1.3** Separate procedures apply in the event of a child protection/safeguarding issue, or if the Headmaster expels 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** 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, and any matter about which a parent is unhappy 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.
- 1.5** Parents can be assured that all concerns and complaints will be treated seriously and confidentially. The School is here for your child and you can be assured that your child will not be penalised for a complaint that you (or your child) raise(s) in good faith.

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 son/daughter's Houseparent or Tutor. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Houseparent or Tutor cannot resolve the matter alone, it may be necessary for him/her to consult a Head of Department or a member of the Senior Management.

- 2.3** Complaints made directly to a Head of Department, member of the Senior Management or the Headmaster may be referred to the relevant Houseparent or Tutor unless the Head of Department, member of the Senior Management or Headmaster deems it appropriate for him/her to deal with the matter personally.
- 2.4** The Houseparent or Tutor or Headmaster or member of the Senior Management will make a written record of all concerns and complaints and the date on which they were received. A concern provided in writing will be acknowledged by telephone, fax, e-mail or letter within two working days of receipt.
- 2.5** Should the matter not be resolved within 10 working days or in the event that the Houseparent or Tutor or member of the Senior Management and the parent fail to reach a satisfactory resolution then parents will be advised to proceed with their complaint by referring to the Headmaster in accordance with Stage 2 of this Procedure.
- 2.6** If, however, the complaint is against the Headmaster or Director of Finance and Operations, parents should make their complaint directly to the Chair of Governors whose contact details are available from the School Office on request.
- 2.7** 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 Headmaster.
- 3.2** The complaint will be acknowledged by telephone, e-mail or letter within two working days indicating the action that is being taken and the likely time scale.
- 3.3** The Headmaster 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 Headmaster.
- 3.4** Once the Headmaster 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 Headmaster will take the parents through all the relevant findings of the formal investigation. He will ensure that the parents have the opportunity of asking any relevant questions.
- 3.5** The Headmaster, after due consideration, will write to the parents with his conclusions and decision. This will be within three working days of the meeting. The Headmaster will also give reasons for his decision. Where there are exceptional circumstances resulting in a delay, the parents will be notified and informed of the new timescales as soon as possible.

- 3.6** If the complaint is against the Head, the complaint should be made to the Chair of Governors. The Chair of Governors or their nominee will call for a full report from the Head and for all the relevant documents. The Chair of Governors or their nominee may also call for a briefing from members of staff, and will in most cases, speak to or meet with the parents to discuss the matter further. Once the Chair of Governors or their nominee is satisfied that, so far as is practicable, all of the relevant facts have been established, the parents will be informed of the decision in writing. The Chair of Governors or their nominee will give reasons for his/her decision.
- 3.7** If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Procedure.

4. Stage 3 – Panel Hearing

4.1 What is a Complaints Panel hearing?

- 4.1.1** A Complaints Panel hearing is a forum for the review of the decision(s) taken at Stage 2 by the Headmaster (or in circumstances where the formal complaint concerns the Headmaster, a Governor appointed to act in his 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 Headmaster
- 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 Headmaster and / or to the School Council, 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 or not you will be accompanied to the hearing and by whom (see 5.2.3 below)
- 4.2.3** 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 this is an internal complaints policy; as such legal representation is not permitted.
- 4.2.4** If assistance with the request is required, for example because of a disability, please inform the Clerk to the Governors of this and she / he will be happy to make appropriate arrangements.

- 4.2.5 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.
- 4.2.6 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 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 comprise of 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. The Panel members will choose one of themselves to be the Chair of the Panel throughout the proceedings
- 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.

4.5 The Panel hearing

- 4.5.1 The hearing will be conducted in an informal manner. 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.
- 4.5.2 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 written minute of the proceedings.
- 4.5.3 During the hearing, the Panel may hear from a number of different people and at different times. It may therefore be the case that there are some occasions where someone speaking to the Panel may be sharing confidential or compromised information that is helpful to the Panel in reaching a conclusion but it is not necessarily appropriate for all parties to have full access to this information. As such the complainant is not entitled to a full transcript of every conversation.

- 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 After due consideration of all facts they consider relevant, the Panel will make findings as to whether or not the Stage 2 decision was a reasonable one and accordingly decide whether to:
- i. Dismiss the complaint(s) in whole or in part;
 - ii. Uphold the complaint(s) in whole or in part; and
 - iii. may make recommendations.
- 4.6.2 The Panel will reach a decision on a balance of probabilities unless there is an agreed position. The decision of the Panel will be final. 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 Custos (Chair of Governors) and the Headmaster, by electronic mail, normally within ten 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.
- 4.6.3 The decisions, findings and any recommendations will also be available for inspection on the School premises by the Custos and the Headmaster.
- 4.6.4 The completion of Stage 3 represents the conclusion of the School's complaints procedure.

5. Confidentiality and Record Keeping

- 5.1** Complainants can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the Education and Skills Act 2008 requests access to them.
- 5.2** The School will provide ISI or Ofsted, on request, with a written record of all formal complaints made during any specified period, and the action which was taken as a result of each complaint.
- 5.3** The School will keep written records of formal complaints and Complaints Panel hearings, as required by regulation. It will do so in accordance with its Privacy Notice, Data Protection Policy and Retention of Records Policy. The record will include details of whether they are resolved following the formal procedure or proceed to a panel hearing. The record of any such complaints will show what action was taken by the School as a result of the complaint, regardless of whether they are upheld.

5.4 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
- 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 and 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 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 Privacy and Data Protection Policies.

5.5 The record will be kept for at least seven years.

6. Early Years Foundation Stage (EYFS)

6.1 Written complaints about the fulfilment of the EYFS requirements will be investigated using the process outlined in this policy. The complainant will be notified of the outcome of the investigation within 28 days. The School will provide ISI and/or Ofsted, 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 in accordance with its Privacy Notice and Retention of Records Policy.

7. Complaints

7.1 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 or to Ofsted or to ISI if they believe the provider is not meeting the EYFS requirements. Parents will be notified by ISI or Ofsted of the outcome of the investigation into their complaint within 28 days of the complaint being received.

7.2 ISI will usually expect parents to have followed and exhausted the School's formal complaints procedure before contacting them.

ISI can be contacted on 020 7600 0100 or by email: concerns@isi.net
ISI, CAP House, 9-12 Long Lane, London EC1A 9HA

Ofsted can be contacted on 0300 123 1231 or by email: enquiries@ofsted.gov.uk
Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD

8. Alternative Dispute Resolution (ADR)

- 8.1** From 1 October 2015, under EU regulation, ADR applies to all contracts for services and the School's contracts with parents therefore fall within its scope. ADR takes effect when the School's internal complaint-handling procedures detailed above in Stages 1 – 3, are exhausted without resolution of the matter.
- 8.2** In this unlikely eventuality, the School will provide parents in writing advising them that the School is unable to settle the parental complaint and providing them with the name and website address of an ADR provider that could deal with the complaint, if the parent wishes to use ADR. However, the School is not required to submit to an ADR procedure.

For the academic year 2019/2020 there were no formal stage 3 complaints received under this policy at King's College, Taunton or King's Hall School.