



<b>Name of policy</b>	<b>Complaints Policy</b>
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This policy applies to (highlight as applicable):	Staff	Pupils	Parents
This policy applies to:	Senior	Junior	WCPS

Staff member/s responsible for policy update and implementation:	ARMS
Frequency of review:	Annual
Date of last adoption:	November 2023
Date of next review:	July 2024

Related policies:	Privacy Notices Data protection policy
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### Policy sign-off and adoption

Reviewed by policy owner	Initials:	ARMS/SS	Date:	21/11/23
Reviewed by policy scrutiny group if applicable:	PSG/PPMB:	PSG	Date:	Nov 23
Reviewed by governor committee if applicable:	Committee name:	GB	Date:	Next review – March 24
Review by GB if applicable:	Applicable Y/N		Date:	
Policy adoption date:	Initials:		Date:	

### Publication:

Published on website:	Y/N:	Y	Date of upload to site:	Nov 23
Staff Handbook:	Location in handbook:	Whole school policies	Date of inclusion in handbook:	21/11/23

# COMPLAINTS POLICY

## I. INTRODUCTION

- 1.1. **This policy is available in hard copy on request and is published on the school's website.**
- 1.2. **This policy applies to King's College School, King's College Junior School and Wimbledon Common Preparatory School ("WCPS") together "the school" and parents of current pupils at the school.**
- 1.3. In this policy references to the head refers to the head, the junior school headmaster and the head teacher of WCPS as appropriate unless otherwise stated.

## 2. AIMS

- 2.1. The school is committed to providing a high level of teaching and pastoral care for its pupils. However, if a parent (which term includes a guardian) has a complaint, the school is committed to treating it with care and in accordance with this policy.
- 2.2. If a parent of a current pupil has a complaint or a significant concern in relation to that pupil, the school will seek to resolve that complaint promptly, fairly and, if possible, informally. This policy will be used for that purpose. Complaints by parents of former pupils will be dealt with under this policy if the complaint was initially raised when the pupil to which the complaint relates was still registered as a pupil at the school.
- 2.3. In this policy a complaint means an expression of dissatisfaction with a real or perceived problem. 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. It may be made about the school as a whole, a specific department or an individual member of staff. Any matter about which a parent is unhappy and seeks action by the school is within the scope of this policy, except for complaints which arise from the expulsion or removal of a pupil. These are dealt with under the expulsion removal and review policy.
- 2.4. While the school is committed to taking all feedback seriously, anonymous complaints will not be investigated under this policy. However, the head or chair of governors, if appropriate, will determine whether an anonymous complaint warrants a separate investigation.
- 2.5. This policy has been approved by the head, the Education Committee and the Governing Body of the school and is the process by which the school will handle complaints made by parents of current pupils. It takes account of Part 7 of the Schedule to the Education (Independent School Standards) (England) Regulations 2014. The procedures below may be adapted as necessary to meet the policy aims and circumstances of each case.
- 2.6. Certain of the stages in this policy can only be carried out during term time. Where the phrase "working days" is used, this shall mean any day that is not a Saturday or Sunday or a bank holiday and which falls within the school's term time as published on the school's website. 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 be permitted on an exceptional basis, and the school will take all reasonable steps to limit any such delay. The school acknowledges that it is in everyone's best interests to resolve a complaint as swiftly as possible.
- 2.7. If the complaint is made against the headmaster of the junior school, the parent should make their complaint directly to the head. If the complaint is made against the head teacher of WCPS, the

parent should make their complaint directly to the headmaster of the junior school. If the complaint is made against the head, parents should make their complaint directly to the chair of governors. The chair of governors will appoint a member of the governing body to follow the process as set out in this policy. The chair of governors can be contacted via the secretary to the governors at the address set out in paragraph 6.6 below.

### **3. STAGE 1 – INFORMAL RESOLUTION**

- 3.1. It is hoped that most complaints and concerns will be resolved quickly and informally. If parents have a complaint they should normally, in the first instance, contact the pupil's tutor in the case of the senior school or form teacher in the case of the junior school or WCPS, who shall do everything possible to resolve the matter straightaway to the parent's satisfaction.
- 3.2. If the tutor or form teacher is not able to resolve the matter alone, they may seek assistance from their head of the department, a pastoral leader or the relevant member of the senior team.
- 3.3. Where a parent initially contacts a head of department, a pastoral leader, a member of the senior team or the head, they will usually refer the complaint to the pupil's tutor or form teacher or other relevant member of staff unless, in the circumstances of the particular case, that member of staff decides that it is not appropriate to do so.
- 3.4. The school expects that parental communications should be acknowledged in accordance with normal school practice during term time. If after 10 working days of a complaint being acknowledged a parent is not satisfied that the matter is working towards a resolution, or in the event that the parents and the member of staff dealing with the complaint fail to reach a satisfactory resolution, then the parents may proceed to Stage 2 of this policy.

### **4. STAGE 2 – FORMAL RESOLUTION**

- 4.1. Under the Stage 2 of this policy (Formal Resolution) the parent should address the complaint, in writing, to the head stating that it is made under Stage 2 of the school's complaints policy. The head may in some circumstances deem it appropriate to nominate a staff member to hear the complaint and manage the Stage 2 process. The head or their nominee will decide, after considering the complaint, the appropriate course of action to take.
- 4.2. In most cases, the head or their nominee will speak to or meet the parents concerned within 10 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 further investigations to be carried out. The head or their nominee will determine who should carry out any investigation and this may be someone external to the school.
- 4.3. Written records will be kept of all meetings and interviews held in relation to the complaint.
- 4.4. Once the head or their nominee is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and the parents will be informed of this decision in writing. The head or their nominee will also give reasons for their decision. In most cases, the head or their nominee will make their decision and provide the parents with the reasons within 20 working days of the complaint being put in writing.
- 4.5. If the complaint is against the head, the complaint should be made to the chair of governors (via the secretary to the governors at the address set out in paragraph 6.6 below). The chair of governors will nominate someone to determine the complaint. The Stage 2 process described above will then be followed as if the references to the head or their nominee is to the individual nominated by the chair of governors to determine the complaint against the head.
- 4.6. If parents are still not satisfied with the decision, they should proceed to Stage 3 of this policy.

## **5. STAGE 3- PANEL HEARING**

- 5.1. If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they should do so in writing to the chair of governors (via the secretary to the governors at the address set out in paragraph 6.6 below) within 10 working days of the date of the decision at Stage 2 (this timetable may be extended in exceptional circumstances). The request should set out full details of the matters which they believe have not been resolved and state the outcome which is sought.
- 5.2. The secretary to the governors, who has been appointed by the governors to call hearings of the complaints panel, will then refer the appeal to the complaints panel for consideration. The panel will consist of at least 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 other two members of the panel shall be drawn from the governing body and will include the Chair of Appeals, Complaints and Disciplinary Committee who will normally chair the panel. The chair may however nominate another governor as chair if they are unable to conduct the panel for any reason. The secretary to the governors, on behalf of the panel, will then acknowledge the complaint within 7 working days and schedule a hearing to take place as soon as practicable and normally within 20 working days. The panel will not normally sit during school holidays and thus, it may not be possible to meet this timescale if the complaint is to be heard outside term time in accordance with paragraph 2.6 above.
- 5.3. Where a parent has requested a panel hearing in compliance with paragraph 5.1 above, the panel hearing will take place unless the parent later indicates that they are now satisfied and do not wish to proceed further. Unless such notice is given, the panel hearing will proceed whether or not the parent decides to attend. If the parent decides not to attend, the panel will consider in their absence the parent's grounds for believing the complaint to be unresolved and the outcomes requested and make a determination.
- 5.4. 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 7 working days prior to the hearing.
- 5.5. A parent may attend the hearing of the panel and be accompanied by one other person if they wish. This may be a friend or relative. Legal representation will not normally be appropriate and the companion should not be a lawyer. The panel will decide whether it would be helpful for witnesses to attend.
- 5.6. The remit of the panel shall be at the discretion of the chair and the manner in which the hearing is conducted shall be at the discretion of the panel. The hearing will be a private proceeding and will be conducted in an informal manner. 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. All those attending the hearing are expected to show courtesy, restraint and good manners. Any parent who is dissatisfied with any aspect of the way the hearing is conducted must say so before the proceedings go any further and their comment will be minuted. The role of the panel is to establish the facts surrounding the complaint by considering the documents provided by both parties and any representations made by the parties at the hearing. The panel is not empowered to make any financial award nor impose sanctions on staff, pupils or parents. 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 shall be carried out.
- 5.7. After due consideration of the merits of the complaint and all the facts they consider relevant, the panel will make findings as to whether or not the Stage 2 decision was a reasonable one on the balance of probabilities and decide whether to:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part; and
- make recommendations.

5.8. The panel will normally write to the parents informing them of its decision and the reasons for it within 20 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 to parents and, where relevant or appropriate, the person complained about as well as the secretary to the governors, head and the Stage 2 decision maker. A copy of the panel's findings and recommendations (if any) will also be available for inspection on the school premises by the governors and the head.

5.9. Where a repeated attempt is made to raise the same complaint after it has been considered at all three stages, the school is entitled to regard this as vexatious and outside the scope of this policy.

## **6. CONFIDENTIALITY AND RECORDS**

6.1. Following resolution of a complaint, the school will keep a written record of all formal complaints, whether they are resolved at the preliminary 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).

6.2. The school processes data in accordance with its Privacy Notices which can be found on the school's website. 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/minutes of the hearing, and
- The Panel's written decision

6.3. This may include 'special category personal data' (as further detailed in the school's *Privacy Notices*, but potentially including, for instance, information relating to physical or mental health) where this is necessary owing to the nature of the complaint.

6.4. All concerns and complaints are treated seriously and kept confidential. All correspondence, statements and records relating to the complaint are kept confidential except in so far as is required of the school by paragraph 33(k) of the Education (Independent Schools Standards) Regulations 2014; where disclosure is required by the Secretary of State or a body conducting an inspection under section 108 or 109 of the Education and Skills Act 2008; or where any other legal obligation prevails. The school will provide ISI/OFSTED, on request, with a written record of all complaints made during any specified period and the action which was taken as result of each complaint.

6.5. Details of individual complaints will be kept in accordance with the school's information and records retention policy which can be found on the school's website.

6.6. The number of complaints registered under the formal resolution procedure in the preceding school year is available from the secretary to the governors by writing to:

Secretary to the Governors  
King's College School  
Southside  
Wimbledon Common  
London  
SW19 4TT

By email: [Bursar@kcs.org.uk](mailto:Bursar@kcs.org.uk)

## 7. EYFS

7.1. Parents of EYFS children at WCPS should follow the three stages of this complaints policy. If parents remain dissatisfied and their complaint is about the school's fulfilment of the EYFS requirements, then parents may take their complaint to the ISI or Ofsted. 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. WCPS will provide ISI/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 the school's information and records retention policy which can be found on the school's website.

7.3. Parents may complain directly to Ofsted or to ISI if they believe the provider is not meeting the EYFS requirements. Parents of pupils at WCPS may contact OFSTED or ISI on the contact details below:

	OFSTED	ISI
Telephone	0300 123 1231	020 7 600 0100
Email	<a href="mailto:enquiries@ofsted.gov.uk">enquiries@ofsted.gov.uk</a>	<a href="mailto:concerns@isi.net">concerns@isi.net</a>

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