



Complaints Policy and Procedure

June 2022

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1. Aims

- 1.1. King's College School ("the School") has long prided itself on the quality of teaching and pastoral care provided to its pupils. However, should parents have a complaint, it will be dealt with by the School in accordance with this policy and the procedures detailed within.
- 1.2. The aims of this policy and related procedures are to provide a framework for the resolution of complaints which:
 1. allows for an informal resolution and sets out the School's procedures where this is not achievable;
 2. is easily accessible and publicised, simple to understand and use, and impartial and non-adversarial;
 3. enables a full and fair investigation by an independent person where necessary;
 4. respects people's desire for confidentiality;
 5. addresses all the points at issue and provides an effective response and appropriate redress, where necessary; and
 6. provides information to the School's senior leadership team so that processes can be improved.

2. Scope and application

- 2.1. This policy applies to the whole school including the Early Years Foundation Stage and Boarding.
- 2.2. This policy applies to any expression of dissatisfaction however made about actions taken, or a lack of action by the School where the parent seeks action by the School.
- 2.3. This policy applies only to complaints from each of the following:
 1. parents of current pupils;
 2. parents of former pupils if the complaint was initially raised when the pupil was registered at the School;
- 2.4. Requests for financial awards, such as claims for compensation, damages or fee refunds, are beyond the scope of this policy;

- 2.5. All parents should be aware that, regardless of the nature of a complaint and whether or not it is upheld, parents are not entitled to details of any related sanctions imposed on staff, pupils or parents;
- 2.6. The School has a separate *Whistleblowing Policy* and grievance procedures for staff concerns;
- 2.7. Separate procedures apply in the event of a child protection issue or if the Head expels or asks a pupil to leave and the parents seek a Governors' review of that decision. These procedures are covered in the School's *Safeguarding and Child Protection Policy and Expulsion, Removal and Review Policy*, both of which are available on the School's website.

3. Regulatory Framework

3.1. This policy has been prepared to meet the School's responsibilities under:

- Education (Independent School Standards) Regulations 2014;
- Statutory framework for the Early Years Foundation Stage;
- National Minimum Standards for Boarding Schools;
- Education and Skills Act 2008;
- Childcare Act 2006;
- Equality Act 2010;
- General Data Protection Regulations and Data Protection Act 2018

3.2 The parent contract will be relevant to the operation of this policy. Dependent upon the nature of the complaint being made, other School policies, procedures and resource materials may also prove relevant.

4. Responsibility and allocation of tasks

- 4.1. The Governors have overall responsibility for all matters which are the subject of this policy.
- 4.2. To ensure the efficient discharge of their responsibilities under this policy, the Governors have allocated the following tasks:

Task:	Allocated to:	Frequency of review:
Keeping the policy up to date and compliant with the law and best practice.	Head, School Bursar and Compliance Officer	As required and at least annually.
Monitoring the implementation of the policy.	Head and School Bursar	As required and at least termly.
Seeking input from interested groups (such as staff and parents) to consider improvements to the School's processes under the policy.	Head and School Bursar	As required and at least annually.
Formal annual review	Governors	Annually

5. Publication and Availability

- This policy is published on the School website.
- This policy is available in hard copy upon request from the School Office.
- A copy of this policy is available for inspection from the School Office during a working day.
- This policy can be made available in large print or other accessible format, if required.
- Information regarding the number of complaints registered under the formal procedure of this policy during the preceding school year is available to parents or pupils and parents of prospective pupils and, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate. There were no formal complaints registered under the procedure of this policy during the 2020-2021 school year.

6. Definitions and interpretations

6.1. Where the following words or phrases are used in this policy:

1. References to **Parent**, in relation to a child or young person, includes any person who is not a parent but who has parental responsibility, or has care of the child.
2. References to **Governors** are references to the Board of Governors.

3. References to **days** means ordinary days including weekend days and public holidays. **Working days** mean Monday to Friday, when the School is open during term time. Term dates are published on the School's website. In the event that the application of this definition is likely to introduce excessive delays, due to intervening School holidays, the School's approach is to take sensible and reasonable steps so as to minimise any hardship or unfairness arising from such delays.

7. Timescales

- 7.1. Whenever possible, in the interests of a prompt resolution of issues, a complaint should be raised within three months of the incident, or where a series of associated incidents have occurred, within three months of the last of these incidents. The School will, however, consider complaints made outside of this time frame if exceptional circumstances apply. A complaint raised outside this timescale should therefore include details of the issues which led to a delay.
- 7.2. Timescales for each stage of the complaints procedure are set out below in the relevant paragraphs.
- 7.3. It is expected that the management of every complaint will progress in a timely manner.
- 7.4. The School aims to resolve all complaints efficiently and promptly and parents are encouraged to bring any matter causing concern to the School's attention as soon as possible.
- 7.5. Where there are exceptional circumstances resulting in a delay to the timescales for a state of the complaints procedure, the School will notify the parents and inform them of the new timescales as soon as possible.

8. Management of Complaints

- 8.1. This policy describes a three-stage procedure:
 - **Stage 1:** Informal raising of a complaint. Further details of this procedure are set out in Appendix 1.
 - **Stage 2:** Formal complaint in writing. Further details of this procedure are set out in Appendix 2.
 - **Stage 3:** A reference to the Complaints Panel. Further details of this procedure are set out in Appendix 3.

- 8.2. Parents requiring assistance with making a complaint at any stage of the procedure, for example because of a disability, should contact the person identified in Appendix 4 who will assist in making appropriate arrangements.

A concern about the safety of a child should be notified immediately to the person who is best placed to take immediate action and should be confirmed in writing to the Head.

9. Expected standards of behaviour

Attention is drawn to the information included in Appendix 4 which pays due regard to guidance from the Department for Education's *Best practice advice for school complaints procedures 2020* (June 2020).

10. Recordkeeping and confidentiality

- 10.1 All records created under this policy are managed in accordance with the School's *Data Protection and Retention Policy*. Details of individual complaints will be kept only for as long as is considered to be reasonably necessary in the circumstances.¹
- 10.2 The School keeps a written record of all formal complaints including the following:
- 10.2.1 whether they were resolved at Stage 2 or Stage 3;
 - 10.2.2 the action taken by the School as a result of the complaints (regardless of whether they are upheld) and whether the complaints relate to the School's boarding provision.
- 10.3 Correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested by the Secretary of State or where disclosure is required in the course of a school's inspection or under other legal authority or court order.

¹ In accordance with the terms of reference of the Independent Inquiry into Child Sexual Abuse all schools are required to retain information which relates to allegations (substantiated or not) of organisations and individuals who may have been involved in, or have knowledge of child sexual abuse or child sexual exploitation; allegations (substantiated or not) of individuals having engaged in sexual activity with, or having a sexual interest in children; institutional failures to protect children from sexual abuse or other exploitation. Details of any complaints made about such matters will be retained.

- 10.4 A complaint about the fulfilment of the School's EYFS requirements or boarding provision will be made available to Ofsted and the Independent School's Inspectorate on request.
- 10.4 The records created in accordance with the policy may contain personal data. The School has a number of privacy notices which explain how the School will use personal data about pupils and parents. The privacy notices are published on the School's website.

11. Complaints to Ofsted and the Independent School Inspectorate

- 11.1 Parents of children in the School's Early Years Foundation Stage (EYFS) and parents of boarders have the right to contact Ofsted and / or ISI if they believe the School is not meeting the EYFS requirements or National Minimum Standards for Boarding.
- 11.2 Ofsted can be contacted on 0300 123 4666 or at enquiries@ofsted.gov.uk.
- 11.3 ISI can be contacted at concerns@isi.net or on 020 7600 0100.

12. Training

- 12.1. The School ensures that regular guidance and training is arranged so that relevant staff understand what is expected of them by this policy.
- 12.2. The School maintains written records of all staff training.

Signed:

The Reverend Dr Stephen Cherry
Dean, King's College, Cambridge
Chair of Governors of King's College School

4th July 2022

Date of Last Review:	June 2022
Date for Next Review:	June 2023
Policy Owner:	Head/School Bursar
Authorisation:	Chair of Governors, On behalf of the Board of Governors

Appendix 1: Stage 1 – informal complaint

1. Informal resolution of a complaint

1.1 The School expects that most complaints, where a parent seeks intervention, reconsideration or some other action to be taken, can be resolved informally. Examples might include a dissatisfaction about some aspect of teaching or pastoral care, or about allocation of privileges or responsibilities, or about a timetable clash or some other aspect of the School's systems or equipment, or a billing error.\

1.2 Where appropriate complaints should be initially raised as follow:

1.2.1 **Education issues:** if the matter relates to the classroom, the curriculum or special educational needs, please speak or write to the Form Tutor, Head of Department or one of the Deputy Heads, as appropriate;

1.2.2 **Pastoral care:** for complaints relating to matters outside the classroom or in the Boarding House, please speak or write to the Form Tutor, the Head of Year, or the Housemaster, as appropriate;

1.2.3 **Staff issues:** for complaints relating to members of staff, please speak or write to the Head.

1.2.4 **Disciplinary matters:** a matter concerning any disciplinary action taken or a sanction imposed should be raised first of all with the member of staff who imposed it, and, if not resolved, then with the Form Tutor or a Deputy Head;

1.2.5 **Financial matters:** a query relating to fees or extras should be stated in writing to the School Bursar;

1.2.6. **Welfare of boarders:** should boarders have a complaint, they are able to speak with a variety of people including the School Listener, the Independent Listener, and Boarding House staff. Additionally, boarders are provided with appropriate helplines which they can ring in case of problems or distress. These include the Children's Commissioner and ChildLine. Parents may also contact an inspector at Independent Schools Inspectorate (ISI) although ISI expects complainants to go through the School's complaints procedure first. Details of how to contact ISI are given in section 10.

1.2.7. **Early Years Foundation Stage (EYFS):** Parents can make a complaint to ISI although it is expected that complaints will go through the School's complaints procedure first. Details of how to contact ISI are given at section 10.

- 1.3 The complaint may be passed to a more senior member of staff if appropriate.
- 1.4 An informal complaint will be acknowledged by telephone, email or letter within three working days of receipt, indicating the action that is being taken and the likely timescales. Such action may include an investigation and / or a meeting with the parent.
- 1.5 Wherever appropriate the School will ask a parent at an early stage what they think might resolve the issue.
- 1.6 The parent will receive a response to the complaint within 15 working days.
- 1.7 If the parent is dissatisfied with the response to the informal complaint or in the event that the complaint cannot be resolved by informal means, the parent may make a formal complaint under Stage 2 of this procedure as set out in Appendix 2.

Complaints about the Head

- 1.8 The procedure for dealing with an informal complaint about the Head is set out below:
 - 1.8.1 Parents may choose to raise complaints directly with the Head if they feel that the matter is capable of resolution informally. The complaint may be raised orally or in writing. If in writing, the School will not automatically treat the complaint as a formal (Stage 2) complaint and the Head will endeavour to resolve the complaint informally under Stage 1;
 - 1.8.2 The Head will acknowledge informal complaints within three working days and will seek to resolve the matter under Stage 1 by means of direct conversation or a meeting with the parents, to be held within 15 working days of the initial complaint;
 - 1.8.3 If the parent is dissatisfied with the Head's response to the informal complaint or in the event that the complaint cannot be resolved by informal means, the parent may make a formal complaint under Stage 2 of this procedure as set out in Appendix 2.
- 1.9 Alternatively, parents may choose to make their complaint about the Head in accordance with Stage 2 of this procedures as set out in Appendix 2.

Appendix 2: Stage 2 - formal complaint

1. How to make a formal complaint

1.1 Complaints will usually only progress to Stage 2 after first being considered at informal stage and only then if the parent indicates that they wish to escalate a matter to the formal stage.

1.2 The formal complaint in writing must be made on the Complaints Form which can be requested from the Head's Office. The Complaints Form should be returned in an envelope addressed to the Head and should include:

1.2.1 a copy of all relevant documents and full contact details; and

1.2.2 details of all the grounds of the complaint and the outcome desired.

1.3 The complaint will be acknowledged by telephone, email or letter within three working days during term time, and as soon as practicable if during the school holidays, indicating the action that is being taken and the likely timescale.

1.4 Should a parent require assistance with making a complaint, they should contact the School Bursar who can assist.

2. Investigation

2.1 The subject matter of the complaint will be investigated in the most appropriate manner, which may include some or all of the following steps:

2.1.1 delegation of the investigation to a senior member of staff; request for additional information from the parent, including what they think might resolved the issue (if not already requested under Stage 1); and

2.1.2 request for a conversation and / or meeting with the parent personally and / or others with relevant knowledge of the circumstances;

2.1.3 The Chair of Governors will be made aware of all Stage 2 formal complaints.

2.2 Written records will be kept of all meetings and interviews in relation to the complaint. Where the investigation has been delegated to a senior member of staff, they will prepare a report on the investigation which will be considered by the Head. Personal data may be redacted and names anonymized in line with data protection principles.

3. Decision

3.1 The Head will notify the parent by email or letter of their Stage 2 decision and the reasons for it within 28 working days from the receipt of the formal complaint in writing.

3.2 If the parent is dissatisfied with the Stage 2 response to the complaint, the parent can request that the complaint be referred to a Complaints Panel under Stage 3 using the procedure set out in Appendix 3.

3.3 Early Years Foundation Stage (EYFS): Parents of pupils in the EYFS setting will be notified of the outcome of the investigation within 28 calendar days of the complaint being received.

4. Complaints about the Head

4.1 The procedure for dealing with a formal complaint in writing about the Head is set out below:

4.1.1 Any formal complaint should be made in writing and include a copy of all relevant documents and full contact details and details of all the grounds of the complaint and the outcome desired.

4.1.2 Formal complaints about the Head should be directed to the Chair of Governors via the Clerk to the Governors (School Bursar).

4.1.3 The Chair of Governors (via the Clerk to the Governors) will acknowledge the formal complaint by telephone, email, or letter within three working days of receipt and indicate the action that is being taken and the likely timescale. Such action may include an investigation and / or meeting with the parent. The parent will receive a response to the complaint within 28 working days.

4.1.4 If the parent is dissatisfied with the response to the formal complaint, the parent can request that the complaint be referred to a Complaints Panel under Stage 3 using the procedure set out in Appendix 3.

Appendix 3: Stage 3 - Complaints Panel

1. Complaints Panel Hearing

1.1 If a parent is dissatisfied with the Stage 2 response to the formal complaint, the parent can request a Complaints Panel Hearing.

1.2 A Complaints Panel Hearing (**Hearing**) is a hearing to consider those elements of the Stage 2 response to the parent's formal complaint with which the parent remains dissatisfied. The Complaints Panel (**Panel**) is not obliged to consider any new complaints which have not been previously raised.

2. How to request a Hearing

2.1 A request for a Hearing must be put in writing to the Clerk to the Governors and will usually only be considered if the procedure at Stage 2 has been completed. It is expected that the complaints procedure will progress in a timely manner.

2.2 The written request should usually be made within 10 working days from receipt of the Stage 2 decision and should include:

2.2.1 a copy of all relevant documents and full contact details;

2.2.2 details of all the grounds of the complaint and the outcome desired;

2.2.3 a list of the documents which the parents believe to be in the School's possession and wish the Complaints Panel to consider; and

2.2.4 whether the parent proposes to be accompanied to the Hearing by someone who is legally qualified (see paragraph 3.5 below).

2.3 The Clerk to the Governors will acknowledge the request for a Hearing in writing within four working days of receipt.

2.4 Every effort will be made to enable the Hearing to take place within fifteen working days of the receipt of the request.

2.5 Parent may withdraw their request for a Hearing at any point up to and including the intended date of the Hearing.

3. Planning the Hearing

3.1 The Clerk to the Governors will send written notification to each party of the date, time, and place of the Hearing at least ten working days before the date of the Hearing.

3.2 Copies of any documents (additional to those specified in 2.2.1 and 2.2.3) that the parent wishes the Complaints Panel to consider should be sent to the Clerk to the Governors to be received at least seven working days prior to the Hearing.

3.3 The Clerk to the Governors will circulate a copy of the bundle of documents to be considered by the Complaints Panel to all parties at least three working days prior to the Hearing.

3.4 The parent may be accompanied at the Hearing, for example by a relative or friend. The Hearing is an internal proceeding, not legal proceedings. Legal representation is not necessary, and will not normally be appropriate, and the role to be played by any legal representative will be at the discretion of the Panel Chair. The Clerk to the Governors must be given five working days' notice if the parents wish to be accompanied by a person who is legally qualified.

3.5 As set out in 2.2.4 above, the parent is required to notify the Clerk to the Governors in their initial request for a Hearing if they wish to be accompanied by someone who is legally qualified. The parent should note that the Panel will wish to speak to them directly. The legally qualified person will not be permitted to act as an advocate or to address the Panel unless invited to do so by the Chair of the Panel.

3.6 A person will be appointed to take a minute of the Hearing.

4. Composition of the Complaints Panel

4.1 The Panel will comprise at least three individuals, selected by the Clerk to the Governors, who have no detailed prior knowledge of the circumstances of the complaint and will include School Governors and at least one Panel member who is independent of the management and running of the School.

4.2 The parent may ask the Clerk to the Governors to inform them who has been appointed to sit on the Panel ahead of the Hearing. Fair consideration will be given to any reasonable objection to a particular member of the Panel.

4.3 The Panel members will appoint one of themselves to be the Chair of the Panel throughout the proceedings.

5. Role of the Complaints Panel

5.1 The role of the Panel is to review the process and decision reached at Stage 2, and to consider on the balance of probabilities, whether or not to uphold each complaint.

6. The Hearing

6.1 The Hearing will proceed notwithstanding that the parent may decide not to attend. In these circumstances, the Panel should consider the parent's complaint in their absence and make findings on the substance of the complaint.

6.2 During the Hearing, the parties 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 at its discretion.

6.3 All statements made at the hearing will be unsworn. The parties will be entitled to write their own notes for reference purposes.

6.4 All those present during 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 of the Panel. If the Hearing is 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 their comment will be minuted.

6.5 The Chair of the Panel may, at their discretion, adjourn the Hearing if they consider it appropriate to do so. This may include an adjournment for the parties to take legal advice on a specific issue arising.

6.6 A Hearing before the 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.

6.7 When the Chair of the Panel is satisfied that sufficient consideration has been given to the documentation provided and any representations made by the parties, they will conclude the Hearing.

7. Decision

7.1 The Panel will make findings about each complaint on the balance of probabilities and may make recommendations to the School.

7.2 It is not within the powers of the Panel to make any financial rewards, nor to impose sanctions on staff, pupils or parents, although the Panel may make recommendations.

7.3 The Panel's findings and any recommendations will be provided in writing to the parents and, where relevant, the person complained about, within seven working days of the Hearing. The Panel's findings and any recommendations will also be available for inspection on the School premises by the Governors and the Head.

7.4 The completion of Stage 3 represents the conclusion of the School's complaints procedure.

Appendix 4 – 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. It will not normally limit the contact complainants have with the School. However, it does not expect its 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 adopts the Department for Education definition of unreasonable complaints as those who, because of the frequency or nature of their contacts with the School, hinder consideration of their or other people's complaints.

Unreasonable complaints are taken seriously by the School as they put a strain on valuable resources and hinder the progress of proper investigations. The School may judge that a complaint is unreasonable by assessing a number of factors, including those that are outlined below:

- 1. A complaint may be regarded as unreasonable when the person making the complaint:**
 - 1.1 refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
 - 1.2 refuses to cooperate with the complaints investigation process while still wishing their complaint to be resolved;
 - 1.3 refuses to accept that certain issues are not within the scope of a complaints procedure;
 - 1.4 insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
 - 1.5 introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
 - 1.6 makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;

1.7 changes the basis of the complaint as the investigation proceeds;

1.8 repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);

1.9 refuses to accept the findings of the investigation into that complaint where the School's complaints procedure has been fully and properly implemented and completed;

1.10 seeks an unrealistic outcome;

1.11 makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email or by telephone while the complaint is being dealt with.

2. A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- maliciously;
- aggressively;
- using threats or intimidation;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites, apps or in print publications.

3. A complaint may also be considered unreasonable if it is manifestly unjustified, inappropriate, or an improper use of the formal procedure.

In assessing this, the School shall have regard to all the circumstances of the case and the nature of the complaint itself rather than the nature of the complainant. In assessing all of the circumstances of the case the School will consider a range of factors including:

- whether a complaint has reasonable foundation;
- the history and context of the complaint (and any evidence where relevant);
- whether the time and cost of investigating the complaint is proportionate to the issue(s) complained of;

- whether an investigation of the complaint is likely to cause a disproportionate or unjustified level of disruption, irritation or distress;
- unexplained delay in raising a complaint or issue;
- if the purpose of the complaint is to obtain an outcome which is unavailable via the complaints procedure, such as a claim for compensation, damages or a refund of fees paid;
- any evidence of a complaint being brought for an improper purpose.

Wherever possible, the Head will discuss any concerns with the complainant informally before dismissing a complaint as unreasonable. The Head will normally only dismiss the complaint after consultation with the Chair of Governors.

If the behaviour continues, the School will write to the complainant explaining that their behaviour is unreasonable and asking them to change it.

For complainants who excessively contact the School causing a significant level of disruption, the School may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after three months.

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

A complainant may request that a panel be convened to determine the single issue of whether the School's dismissal of the complainant's original complaint(s) was justified. If it is determined that the dismissal of the complaint(s) was unjustified, the formal complaints procedure will then be followed.

Appendix 5 – Template Complaint Form

The completed form should be given to the School Office for the attention of the Head.

What is the nature of the complaint? (Please tick)	
Staff conduct	Parental conduct
Teaching standards	Pastoral care
Condition of premises	Timetabling
Matters of routine	Extracurricular activities
Other (please give details)	
Please give details of the complaint below:	
Date of incident:	Time:
If the complaint involves misbehaviour, please give the names of any witnesses to the incident:	
Action taken:	
Name:	Position:
Signed:	Date: