



Complaints Policy

Introduction

The King's School, Worcester Foundation ("The Foundation") has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents/guardians do have a complaint, they can expect it to be treated by the School with care and in accordance with this procedure. The Foundation makes its complaints procedure available to all parents of pupils and of prospective pupils on the Foundation's website and in School offices during the School day, and the Foundation will ensure that parents/guardians of pupils and of prospective pupils who request it are made aware that this document is published or available and of the form in which it is published or available, such as on Firefly.

In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulation 2014, the Foundation will also make available, on request, to OfStEd, the Department for Education (DfE) or the Independent Schools Inspectorate (ISI), details of this Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year.

Although this Procedure is made available to parents of prospective pupils, it is not available for use by them; it may only be used by parents of current pupils.

Complaints by parents of former pupils will be dealt with under this Complaints Procedure only if the complaint was initially raised when the pupil to which the complaint relates was still registered as a pupil at the Foundation.

"Parent(s)" means the holder(s) of parental responsibility for a current pupil to whom the complaint relates and includes guardians.

What Constitutes a Complaint?

A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the Foundation/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.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. The Foundation 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 raises in good faith.

The three-stage Complaints Procedure

Stage 1 - Informal Resolution

- It is hoped that most complaints and concerns will be resolved quickly and informally.
- If parents have a complaint, they should normally contact their son/daughter's Class/Form Teacher or Year Group Tutor. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the Class/Form teacher or Year Group Tutor cannot resolve the matter alone, it may be necessary for him/her to consult a Head of Department, the Deputy Head, or the Head of the respective School.
- Complaints made directly to a Head of Department/the Deputy Head/the Head will usually be referred to the relevant Class/Form Teacher or Year Group Tutor unless the Head of Department/Deputy Head/ Head deems it appropriate for him/her to deal with the matter personally.

- Should the matter not be resolved within 7 working days during term time or in the event that the class/form teacher or year group tutor and the parent fail to reach a satisfactory resolution, then parents will be advised to proceed with their complaint in accordance with Stage 2 of this procedure.
- If, however, the complaint is against the Head of King's Hawford or King's St Alban's, parents should make their complaint directly to the Headmaster of King's School, Worcester. If the complaint is against the Headmaster of King's School, Worcester, parents should make their complaint directly to the Chairman of Governors via the Clerk to Governors.

Stage 2 - Formal Resolution

- If the complaint cannot be resolved on an informal basis then the parents should put their complaint in writing to the Headmaster of the Foundation. The Headmaster will decide, after considering the complaint, the appropriate course of action to take.
- In most cases, the Headmaster will meet with or speak to the parents concerned, normally within 7 working days *in term time* of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- It may be necessary for the Headmaster to carry out further investigations. In this instance, the Headmaster may nominate another member of the Senior Leadership Team to conduct the investigation, who will then present their report to the Headmaster to make a decision on the complaint.
- The Headmaster will keep written records of all meetings and interviews held in relation to the complaint.
- Once the Headmaster is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The Headmaster will make their decision and provide the parents with reasons within 15 working days *in term time* of the complaint being put in writing.
- If the complaint is against the Head of King's Hawford or King's St Alban's, the Headmaster of King's School, Worcester will call for a report from the Head of the respective Prep School and for all the relevant documents. The Headmaster 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 Headmaster 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, normally within 15 working days in term time of receiving the complaint. The Head will give reasons for his decision.
- If the complaint is against the Headmaster of King's School, Worcester, the Chair of Governors (or designated nominee) will call for a report from the Head and for all the relevant documents. The Chair (or 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 is satisfied that, so far as is practicable, all of the relevant facts have been established, the parents will be informed of the Chair's (or nominee's) decision in writing. They will give reasons for their decision.
- If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

Stage 3 - Panel Hearing

- If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they will be referred to the Clerk to the Governors, who has been appointed by the Governors to call hearings of the Complaints Panel. The parents must request Stage 3 in writing within 10 calendar days of receipt of the decision at Stage 2, setting out their grounds of appeal. All supporting evidence which the parents wish to rely on should also be provided with their grounds of appeal.
- The Clerk to the Governors, on behalf of the Panel, will then acknowledge the complaint within 5 working days *in term time* and schedule a hearing to take place, normally within 25 working days of receiving the complaint *in term time*.
- The matter will then be referred to a Complaints Panel appointed by the Governors, save that where the Chair of Governors has been involved in the complaint under Stage 2, they will not take part in the appointment of the Complaints Panel. The Panel will consist of three persons

not previously directly involved in the matters detailed in the complaint and one of whom shall be independent of the management and running of the School.

- 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 5 working days prior to the hearing *in term time*.
- At the Complaints Panel's discretion, the parents may attend part or all of the hearing and be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not be appropriate. The Panel will decide whether it would be helpful for witnesses to attend.
- The manner in which the hearing is conducted shall be at the discretion of the Panel.
- 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 should be carried out.
- 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:
 - Dismiss the complaint(s) in whole or in part
 - Uphold the complaint(s) in whole or in part, and
 - make recommendations
- The Complaints Panel will write to the parents informing them of its decision and the reasons for it, within 7 working days *in term time* 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 Complaints Panel will be final. A copy of the Complaints Panel's findings and recommendations (if any) will be sent by electronic mail or otherwise given to the parents, and, where relevant, the person complained about as well as the Chair of Governors and the Head. A copy of any recommendations, suitably anonymised will also be sent to the School's Compliance Committee to monitor implementation. A copy of the Complaints Panel's findings and recommendations (if any) will also be available for inspection on the School premises by the Chair of Governors and the relevant Head.

Timeframe for Dealing with Complaints

All complaints will be handled seriously, sensitively and within clear and reasonable timescales.

It is in everyone's interest to resolve a complaint as speedily as possible: the Foundation's target is to complete the first two stages of the procedure within 25 working days *in term time*. Stage 3, the Appeal Panel Hearing, will be completed within a further 30 working days *in term time*.

Please note that, for the purposes of this procedure, **working days** refers to weekdays (Monday to Friday) during term time, excluding bank holidays. This means that during School holidays it may take longer to resolve a complaint, although the Foundation 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 Foundation 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 Foundation will take all reasonable steps to limit any such delay.

Unreasonable or Vexatious Complainants and Persistent correspondence

The Foundation 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 us in accordance with this procedure. However, we do not expect our staff to be subject to unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening. We adopt the Department for Education definition of unreasonable or vexatious complainants as those who, because of the frequency or nature of their contacts with the School, hinder our consideration of their or other people's complaints. Unreasonable and vexatious complaints are taken seriously by the School as they put a strain on valuable resources and hinder the progress of proper investigations. This will be considered by the Foundation on a case-by-case basis depending on the circumstances of the complaint. This includes where, at any stage, a complaint is deemed by the Head (or Chair of Governors if about the Head), to be unreasonable or vexatious, the Foundation may take any of the following actions:

- Implement a limited communications strategy
- Advise that a third-party act on the parent's behalf, and/or
- Notify the parent that the Complaints Policy will not be implemented and that there will be no further response to their complaint. This includes where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages; this may be regarded by the Foundation as vexatious and beyond the scope of this procedure.

Recording Complaints

Following resolution of a complaint, the Foundation will keep a written record of all formal complaints that reach Stage 2 and/or Stage 3 and any action taken by the school as a result of the complaint (regardless of whether the complaint is upheld).

The Complaints Panel may, at its absolute discretion, choose to record the complaints hearing solely to assist with the creation of the written record of the hearing. The recording will be deleted as soon as the written record has been approved by the Chair of the Complaints Panel, It will remain confidential to the secretary to the Complaints Panel.

The Foundation processes data in accordance with its Privacy Notice, posted on the Foundation website. When dealing with complaints, the Foundation (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 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 Foundation's Privacy Notice and 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 Foundation's Data Protection Policy.

The Foundation will keep 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. Complaints that do not have safeguarding implications will be retained for a minimum of 7 years.

Correspondence, statements, and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.

For the academic year 20/21 the School received 4 formal complaints.

EYFS Complaints

Parents of EYFS children should follow the three stages of this Complaints Procedure. If parents remain dissatisfied and their complaint is about the Foundation'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.

The Foundation 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 its Privacy Notice.

Parents may complain directly to OfStEd or to ISI if they believe the provider is not meeting the EYFS requirements. Schools must make available details of how to contact OfStEd and/ or the ISI:

OfStEd can be contacted on 0300 123 1231 or by email: enquiries@ofsted.gov.uk

OfStEd
Piccadilly Gate
Store Street
Manchester
M1 2WD

ISI can be contacted on 020 7600 0100 or by email: concerns@isi.net


ISI
CAP House
9-12 Long Lane
London
EC1A 9HA

Review

This policy will be reviewed by the Director of Operations annually or at more frequent intervals if there are relevant legislative changes, and/or the evaluation of the policy highlights the need for a review. Changes to the policy will be approved by Governors.

Complaints Record

Complaints Log Location: Headmaster
Supporting Documentation for Stage 2 and 3: Director of Operations

Authorised by	Resolution of the Governors
Signature	
Date	24 June 2022
Effective date of the Policy	24 June 2022
Review date	01 June 2023
Circulation	Members of Governors/ all staff / parents / pupils [on request]