



## **Complaints Policy and Procedure**



## Introduction

The King's School, Worcester Foundation ("the Foundation") comprises three schools: King's Worcester, King's St Alban's and King's Hawford. This Complaints Policy and Procedure (the Policy) applies to all of them. The Foundation has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents/guardians of pupils do have a complaint, they can expect it to be treated by the Foundation with care and in accordance with this Policy.

This Policy is available for use by parents/guardians of current pupils. Complaints by parents/guardians of former pupils will be dealt with under this Policy only if the complaint was initially raised when the pupil was still registered as a pupil at a Foundation School.

In this Policy:

"Foundation Head" means the Head of King's Worcester

"working days" means weekdays (Monday to Friday) during term time, excluding bank holidays.

## What Constitutes a Complaint?

A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the Foundation or one of its constituent schools, about a specific department or about an individual member of staff, and any matter about which a parent/guardian is unhappy and seeks action by the Foundation is within the scope of this Policy.

Parents/guardians 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 raise 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/guardians have a complaint, they should normally contact their son/daughter's Class/Form Teacher or Year Group Tutor (for those in Year 9 and above). In many cases, the matter will be resolved straightaway by this means to the parents'/guardians' 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/guardian fail to reach a satisfactory resolution, then parents/guardians 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/guardians should make their complaint directly to the Foundation Head.

- If the complaint is against the Foundation Head, parents/guardians should make their complaint directly to the Chair of Governors via the Clerk to Governors. Please contact the Chair through the Clerk to the Governors (clerk@ksw.org.uk). Should the matter not be resolved within 7 working days during term time then parents/guardians will be advised to proceed with their complaint in accordance with Stage 2 of this procedure.

## **Stage 2 - Formal Resolution**

- If the complaint cannot be resolved on an informal basis then the parents/guardians should put their complaint in writing to the Foundation Head who will determine the outcome of the complaint. The Foundation Head may delegate this task to a member of the Foundation Leadership Team. If the complaint is against the Foundation Head, the Chair of Governors (or designated nominee) will determine the outcome of the complaint.
- The precise process followed is at the discretion of the decision maker but generally it will be as set out below.
- The decision maker may speak to or contact the parents/guardians concerned, normally within 7 working days in term time of receipt of the Stage 2 complaint, to discuss the matter and clarify any outstanding points. If possible, a resolution will be reached at this stage.
- It may be necessary for the decision maker to carry out further investigations. If the complaint is against the Head of King's Hawford, the Head of King's St Alban's or the Foundation Head, the decision maker may also call for a report from the Head who is the subject of the complaint.
- The decision maker may nominate another member of the Senior Leadership Team to conduct the investigation, who will then produce a report (with supporting documents and statements) for the decision maker to consider in determining the outcome of the complaint. The Clerk to the Governors will keep written records of all meetings and interviews held in relation to the complaint.
- Once the decision maker is satisfied that, so far as is practicable, all relevant information has been collected, he or she will make findings of fact based on the balance of probabilities and then determine the outcome of the complaint.
- The decision maker will, where possible, inform the parent/guardian of the outcome and the reasons for it in writing within 15 working days in term time of receipt of the Stage 2 complaint.
- If a parent or guardian is not satisfied with the decision, they should proceed to Stage 3 of this procedure by referring their complaint to the Clerk to the Governors.

## **Stage 3 - Panel Hearing**

- If parents/guardians 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/guardians must request Stage 3 in writing within 10 working days in term time of receipt of the Stage 2 outcome, setting out their grounds of appeal.
- The complaint will be heard by a Complaints Panel consisting of three people appointed by the Governors and not previously directly involved in the matters detailed in the complaint. One of the Panel members must be independent of the management and running of the Foundation.
- The Clerk to the Governors will acknowledge the complaint within 5 working days in term time

and schedule a hearing of the Panel members which will normally take place within 25 working days in term time of receipt of the complaint.

- 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 in term time prior to the hearing.
- At the Complaints Panel's discretion, the parents/guardians may attend part or all of the hearing and may be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or friend. Legal representation at the hearing is not 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'/guardians' 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; or
  - Uphold the complaint(s) in whole or in part; and
  - Make recommendations if appropriate.
- The Complaints Panel will write to the parents/guardians informing them of its decision and the reasons for it, within 10 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 Panel's findings and recommendations (if any) will be sent by electronic mail or otherwise given to the parents/guardians, and, where relevant, the person complained about as well as the Chair of Governors and the Foundation Head. A copy of any recommendations, suitably anonymised will also be sent to the School's Compliance Committee to monitor implementation. This will also be available for inspection on the School premises by the Chair of Governors and the relevant Head.
- The decision of the Panel will be final

## **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.

Since time runs only 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 Complaints

The Foundation is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to parents/guardians. This includes removing all practical barriers to making complaints.

However, we do not expect our staff to be subject to unacceptable behaviour and will take action to protect staff, including from behaviour which is abusive, offensive or threatening.

We adopt the Department for Education definition of vexatious complaints [found here](#) and may follow its guidance and/or model policy for managing serial, unreasonable or vexatious complaints.

## 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, and will remain confidential to the secretary to the Complaints Panel.

For the academic year 22/23 the Foundation received 8 formal complaints.

## Privacy

The Foundation processes data in accordance with its Privacy Notice, which you can find [here](#)

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.

## EYFS Complaints

Parents/guardians of EYFS children should follow the three stages of this Complaints Procedure. If parents/guardians remain dissatisfied and their complaint is about the Foundation's fulfilment of the EYFS requirements, then parents/guardians may take their complaint to Ofsted. Parents/guardians will be notified by Ofsted of the outcome of the investigation into their complaint within 28 days of the complaint being received.

The Foundation will provide the Independent Schools Inspectorate (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/guardians may complain directly to Ofsted or to the ISI if they believe the Foundation is not meeting the EYFS requirements.

Ofsted can be contacted on 0300 123 1231 or

Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

The ISI can be contacted on 020 7600 0100 or by email: [concerns@isi.net](mailto:concerns@isi.net)

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

## Review

This policy will be reviewed by the Director of Safeguarding and Compliance 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.

<b>Authorised by</b>	Resolution of the Governors
<b>Signature</b>	
<b>Date Adopted</b>	22 September 2023
<b>Revised on</b>	20 September 2023
<b>Review due</b>	01 April 2024
<b>Circulation</b>	Members of Governors/ all staff / parents / pupils [on request]

## Complaints Record

Complaints Log Location:

Foundation Head

Supporting Documentation for Stage 2 and 3:

Clerk to Governors