

## Parental Complaints Policy

(This policy applies to all pupils including those in the EYFS)

Adopted	September 2014
Revised	March 2015
	December 2016
Reviewed	March 2017
	March 2018
	October 2018
	March 2019
	March 2020
	April 2021
	September 2021
	January 2022
	March 2023
Next Review	March 2024
Owner	Principal Deputy Head / Head of Prep

DATE OF REVIEW	AUTHOR	PAGE / PARA	SYNOPSIS OF AMENDMENT
Dec 16	PDH	Para 7	Inserted new para 7: " <b>Mediation.</b> At any stage of the disciplinary process, the School will consider the use of mediation to deal with difficult and sensitive matters involving pupils with different needs."
Feb 17	PDH	Page 8	Provision that findings of all complaints will be logged, regardless of whether the complaint is upheld.
Feb 17	PDH	Page 8	Provision for Secretary of State to see complaints records under Sect 108 and 109 of the 2008 Act
Feb 17	PDH	Page 4	Clarification that complaints regarding exclusions are dealt with under the terms of the Suspension and Exclusion Policy
Feb 17	PDH	Page 4	Clarification that the policy applies only to parents of pupils currently at Mount Kelly.
Mar 18	PDH	Page 10	Updated number of complaints received in 2016-17
Oct 18	PDH	Page 5 Para 5	Clarification on process and timescale for a Level 2 complaint
		Page 10	Updated number of complaints received in 2017-18
Mar 19	PDH	Pages	Clarification of what the Investigating Officer should submit in their report: <i>the Investigating Officer will write formally to the complainant, with details of the findings, actions taken, and possibly recommendations</i>
		Page 10	Updated number of complaints received in 2018-19
Feb 20	Head of Prep	Page 4	Updated Deputy Head, removed Deputy Head (Academic)
Mar 20	PDH	Page 6	Clarification on the process for liaison between the Head/Head of Prep and the Investigating Officer.
Sep 21	PDH	Page 4	Insertion of point 3 – Who may make a complaint?
		Throughout	<p>Tighter definition on the following:</p> <ul style="list-style-type: none"> <li>• Timeframes and deadlines</li> <li>• Matters which may and may not be admissible in Stage Two and Stage Three complains</li> </ul> <p>Minor points of formatting, grammar and style.</p>
Jan 22	PDH	Throughout	Reconfiguration of who manages different stages of complaint, such that Stage 1 complaints are managed by the Principal Deputy Head or Head of Prep, and Stage 2 complaints are managed by the Principal.
Mar 23	PDH	Throughout	Minor changes to formatting, grammar and style.

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## **1. Introduction**

The Mount Kelly Foundation aims to provide excellence in its academic and extra-curricular provision and in its pastoral care, within a caring and happy environment for its pupils and staff. There may, however, be occasions when parents or carers are dissatisfied and wish to make a complaint.

The primary aim of this policy is to set out the means by which complaints may be resolved as fairly and quickly as possible. Complaints will be dealt with in a sensitive, impartial and confidential manner. We believe that it is beneficial to deal with a complaint informally wherever possible and as speedily as is practicable.

This policy is available to parents and carers on the Mount Kelly website and is also available in hard copy

## **2. Who may make a complaint?**

The school's complaints policy applies to parents, guardians and carers of current pupils and to anyone who makes use of the school's services or facilities.

Former parents may only raise a complaint that relates to the period of time that their child was a pupil at Mount Kelly, and should do so as soon as reasonably possible following the conclusion of their child's time at Mount Kelly.

The means by which complaints by pupils are managed is set out in the Pupil Complaint Policy.

## **3. What is a complaint?**

A complaint is an expression of clear dissatisfaction made by any of the parties set out above. It may be about school policy, procedures, the conduct, actions or omissions of members of staff employed by the school or about the standards of teaching and learning.

There is a distinction between a complaint and a concern – the latter being an expression of worry, or a question. The member of staff who is first approached by the complainant should ask the complainant whether they are making a complaint, or simply raising a concern. Should there be any uncertainty, the complainant should be directed to the Principal Deputy Head or the Head of Prep.

It is hoped that concerns can be dealt with swiftly and informally without having to invoke the complaints policy and procedure.

This policy does not cover suspensions and exclusions. Complaints regarding suspensions and exclusions should be made in accordance with the School's Suspension and Exclusion Policy.

As far as the data can be gathered, concerns will also be logged on the Complaints Log, but clearly marked as concerns rather than complaints.

#### 4. **Stage One – Local resolution of the problem (Informal Stage)**

If parents have a complaint they should normally contact their child's Form Teacher (at the Prep) or Housemaster/Housemistress (Hm) (at the College).

Having established whether it is a concern or a complaint, the Form Teacher or Hm will seek to resolve the matter straightaway to the parents' satisfaction. If the Form Teacher or Housemaster/Housemistress cannot resolve the matter alone, it will be necessary for him/her to consult the Principal Deputy Head or Head of Prep.

Complaints made directly to the Principal Deputy Head or Head of Prep will usually be referred to the relevant Form Teacher, Housemaster or Housemistress, or member of the Senior Leadership Team, unless the Principal Deputy Head or Head of Prep deem it appropriate for him/her to deal with the matter personally.

The Principal Deputy Head or Head of Prep will keep a written record of all concerns and complaints and the date on which they were received.

Should the matter not be resolved within 10 days, or in the event that the relevant member of staff and the parent fail to reach a satisfactory resolution, then the parents will be advised to proceed with their complaint in accordance with Stage Two of this procedure.

Parents may not raise a complaint more than three calendar months after the events to which the complaint relates.

In the event of a complaint being made against the Principal Deputy Head or the Head of Prep, the complaint should be made direct to the Principal.

#### 5. **Stage Two – Formal Stage**

If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Principal of the Foundation, within fourteen days of being advised to do so.

Parents may, of course, decide to go straight to Stage 2, though as above, a complaint may not be lodged more than three calendar months after the events to which it relates.

This correspondence should include the following:

- Details of the nature of the complaint
- The names of those involved, including witnesses
- The dates of the incidents
- The resolution the parents are seeking
- An explanation by the parents of why informal resolution at Stage One was impossible.

The complainant may not bring into the Stage Two complaint matters and grievances that were not brought forward at Stage One, unless the further grievance relates to the conduct and management of the complaints process in the earlier stage.

Acknowledgement of receipt of the complaint will be sent to the complainant by the Principal of the Foundation within two days of its receipt, though this period may be extended during school holidays.

The Principal of the Foundation may wish to meet the parents concerned to discuss the matter, and would aim to do so within five days of receiving the complaint. This time period may be extended during school holidays, but should not exceed two working weeks. It may be that the issue can be resolved at this stage.

If this is not the case, however, it is likely that the Principal of the Foundation will wish to carry out further investigations, and will appoint an Investigating Officer for this purpose.

The Principal of the Foundation and the Investigating Officer will keep written records of all meetings and interviews held in relation to the complaint, and may be accompanied in those meetings.

The Investigating Officer will liaise directly with the complainant, and will most likely wish to interview the complainant.

Once the Principal of the Foundation has received the Investigating Officer's report, and is satisfied that, so far as is practicable, all of the relevant facts have been established, the Principal of the Foundation will write formally to the complainant, setting out the following:

- The details of the findings
- Actions taken, and possibly also recommendations
- The process for requesting a Stage Three complaint Panel Hearing, should the complainant remain dissatisfied.

The Principal of the Foundation will aim to submit the findings and recommendations to the complainant within fourteen days of being appointed. This timescale may be altered, however, to account for the complexity of the complaint, and school holidays, and may be the result of discussion between the complainant and the Principal of the Foundation.

In the event of a complaint being made against the Principal of the Foundation, the complaint should be made to the Chairman of Governors (or delegated governor in his/her absence) and a nominated governor will investigate it in the same way that a complaint about any other teacher would be handled. The nominated governor will be responsible for responding to the parent concerned.

## **6. Stage Three – request for a panel hearing**

If complainants are not satisfied with the resolution offered at Stage Two they should make a request in writing or via email (marked 'strictly confidential') to the Principal of the Foundation. This must be submitted within fourteen days of receipt of the report from the Stage Two investigation.

Parents must have submitted a Stage 2 complaint prior to requesting a Stage 3 complaint.

This correspondence should include the following:

- Details of the nature of the complaint
  - The names of those involved including witnesses
  - The dates of incidents
  - The resolution the parents are seeking
  - An explanation by the parents of why resolution at Stage Two was impossible.
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- Should the complainant have concerns about the conduct and management of the Stage Two complaint process, this should also be made clear in the request for a Stage Three Panel Hearing.

The complaint will be referred to a panel consisting of two members of the Governing Body (not the Chairman or any Governor who has been responsible for dealing with the matter at Stage Two) and one independent person who shall not be part of the management or running of the Foundation. A separate email address will be established for the independent panel member. The panel members shall not be directly involved in the matters detailed in the complaint.

NB. The Department for Education gives the following guidance on the identity of an independent panel member:

*“Our general view is that people who have held a position of responsibility and are used to analysing evidence and putting forward balanced arguments would be suitable. Examples of persons likely to be suitable are serving or retired business people, civil servants, heads or senior members of staff at other schools, people with a legal background and retired members of the Police Force might be considered.”*

Each of the panel members shall be appointed by the Principal of the Foundation and Chairman of Governors who, on behalf of the panel, will then acknowledge the complaint within two days of receipt of the request for a panel hearing, and will schedule a hearing to take place as soon as practicable. This will normally be within 21 days of the request being made, though in exceptional and more complex cases up to two months may be required and, again, school holidays may cause some delay.

The panel will review all evidence considered during the previous investigations and the responses. 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 two days prior to the hearing.

The panel will only consider complaints that have been through the Stage Two process, and may not bring into the Stage Three complaint matters and grievances that were not brought forward at Stage One or Stage Two, unless the further grievance relates to the conduct and management of the complaints process in the earlier stages.

Complainants have the right to attend the panel hearing and to be accompanied by one other person, and the school should be notified seven days in advance who this will be. In the event that a complaint reaches Stage Three it is recommended neither party brings legal representation: the process does not constitute a legal proceeding.

If possible, the panel will resolve the parents' complaint immediately 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 reach a decision and may make recommendations, which it shall complete within 14 days of the hearing. The panel chair will write to the parents informing them of its decision and the reasons for it. The decision of the panel will be final.

A copy of the panel's findings and recommendations will be sent by electronic mail or otherwise given to the complainant and, where relevant, to the person complained about or who has responsibility for the area being complained about. This will be provided to all parties within 21 days of the completion of the panel hearing. They will be available for inspection on the school premises by the Head of Prep, The Principal Deputy Head, The Principal of the Foundation and the Chairman of Governors.

Whether or not a hearing takes place, the findings and decision of the panel together with any recommendation they make will be provided in writing to all parties within 28 days.

## **7. Mediation**

At any stage of the complaint process, the School will consider the use of mediation to deal with difficult and sensitive matters involving pupils with different needs.

## **8. Recording of Complaints**

A written record is kept of all complaints, and of whether they are resolved at the preliminary stages or proceed to a panel hearing. In the case of the Prep, a complaints log will be maintained by the Head of Prep; in the case of the College, a complaints log will be maintained by the Principal Deputy Head. The complaints log will include details of all action taken, regardless of whether the complaint was upheld.

All correspondence, statements and records of complaints relating to individual complaints are kept confidential (except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access to them.)

The written record of all complaints is reviewed regularly by the Principal of the Foundation or the Principal Deputy Head.

Parents of children in EYFS have the right to complain directly to the Registration Authority (OFSTED) on 0300 123 1231 should they believe that the school is not meeting the EYFS requirements.



Furthermore, in the case of complaints from parents of children in EYFS, a written record of all complaints and their outcomes/action taken must be made available to the Registration Authority (Ofsted and ISI) on request.

A record of complaints is kept for a minimum of three years and any complaints relating to pupils in the EYFS will be held for at least three years.

Being OFSTED registered, the school will notify the complainant of the outcome within 28 days of the receipt of the complaint. The school will provide OFSTED/ISI with a written record of complaints and any action taken on request.

At any stage of the complaints procedure parents may communicate with, appeal or complain to OFSTED [www.ofsted.gov.uk](http://www.ofsted.gov.uk) and/or the Independent Schools Inspectorate [www.isi.net](http://www.isi.net).

Parents can make a complaint to ISI or Ofsted and contacts are below:

Independent Schools Inspectorate Ground Floor 9-12 Cap House  Long Lane London EC1A 9HA	Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD
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Telephone 020 7600 0100 or 020 7710 9900

This policy has been drawn up with regard to Standard 18 of the National Minimum Standards for Boarding Schools January 2013 and Part 7 of The Education (Independent School Standards) (England) Regulations 2010.

The total number of Stage Two complaints received between September 2022 and March 2023 is 3.