



COMPLAINTS POLICY  
VERSION 5

## **KWS Educational Services**

### **Policy for the handling of complaints**

#### **Introduction**

From time to time parents may naturally have concerns about an aspect of their child's education. Often those concerns will resolve themselves, but on occasions parents/carers or third parties may feel that the issue will need the School's help to be resolved.

As partners in your children's education the School wishes to work with you in the resolution of problems and this policy is designed to show what steps may be taken. The resolution of a concern can take the three steps which are described in detail below.

Please note that details of the number of complaints registered under the formal procedure during proceeding years may be requested through the school office at any time.

Any person including members of the general public and students may make a complaint about any provision or services that KWS provides.

#### **An Informal Concern**

On most occasions these can be resolved immediately by speaking to your child's teacher. If you have a concern, please phone the office on 01234 358638 and leave a contact number, the member of staff will get back to you and if necessary arrange a mutually convenient time for a meeting. Please let the teacher know the nature of your concern when making an appointment so that they may investigate further on your behalf if necessary.

The purpose of the meeting should be to establish a solution or to agree a plan of action to resolve the concern. If the meeting fails to do so then you should make an appointment to see the Head Teacher

The Head Teacher will normally make further investigations on your behalf and meet with you to suggest a workable solution. If you feel that the matter is not satisfactorily resolved, you may request a further meeting with the other Directors or consider making the matter the subject of a formal complaint.

It is important that due procedure is followed with a view to seeking resolution to a concern or complaint. A failure to follow the procedure may result in the procedure being terminated by the Management Committee.

Informal Concern	Speak to child's teacher	Concern resolved					
		Concern not resolved	Meet with Head (5 days)	Concern resolved			
				Concern not resolved	Meet with all SMT (5 days)	Concern resolved	
		Concern not resolved	Consider making the matter subject of a formal complaint				

## **A Formal Complaint**

If the concern is not resolved at the informal stage it must be put in writing and passed to the Proprietor who will either investigate the matter or delegate this responsibility to a senior colleague. The complaint should include details which might assist the investigation such as names of potential witnesses, dates and times of events and copies of relevant documents. The Proprietor may meet with the complainant to clarify the matter. On the conclusion of the investigation, the Proprietor will write to the complainant with the outcome of the investigation. If the outcome of the investigation results in the implementation of staff disciplinary procedures, such procedures will remain strictly confidential.

If the complainant is not satisfied with the manner in which the process has been followed or if the complaint is about the Proprietor then a full written complaint should be made to trustees at the School's address. The trustees will write to you to confirm receipt of your letter and will investigate the matter fully and reply within a further five working days. In some circumstances, the Chair of the trustees may ask another member to carry out the investigation on their behalf.

The Chair will collect such other evidence as is deemed necessary and may interview other witnesses. The Proprietor will be provided with a copy of the complaint and any additional evidence presented by the complainant or collected by the Chair.

Once there has been an opportunity for the Proprietor to consider this he/she will meet separately with the Chair to present a response. On the conclusion of this meeting the complainant will be informed in writing of the outcome. The complainant will not be informed of any disciplinary or capability action which might ensue.

This will now bring the Chair's investigation to a close. If the complainant is not satisfied with the manner in which the complaint has been investigated, a request may be made for the trustees to hold a formal review of the process which will take the form of a hearing. Any such request must be made in writing to the Chair within two weeks of receiving notice of the outcome of the Chair's investigation and must state the reasons for the implementation of the next stage. Please note, the complainant is not entitled to access any details of the investigation except for any statements that may have been provided by their child.

Formal Complaint	Head meet with and write to the complainant within 5 days	Concern resolved					
		Concern not resolved	Full written complaint made to the Trustees. Trustees to write to complainant. Trustees to investigate and respond within 5 days.	Concern resolved			
				Concern not resolved	Trustees chair and Head to prepare a response within 5 days.	Concern resolved	Concern not resolved

## **A Formal Review**

On receiving a formal request for the complaint to be taken to the next stage the Chair of the management committee will write to the complainant within five working days to inform you of the date and time of the hearing and of the composition of the panel who will hear the complaint. The trustees will comprise of at least 3 members who are not directly involved in the complaint, 1 of whom shall be independent of the running of the school. The chair of the trustees is responsible for appointing panel members.

The hearing will take the following form. You will be invited to attend the meeting, given the opportunity to inform the trustees of the details of your concern. The trustees may question you to seek further clarification of the detail of your concern. You may bring a friend with you to the hearing. The trustees will then ask you to leave and will then meet with the Proprietor and Chair of the trustees to seek their view of the issue. Once the trustees have clarified any issues, the chair and Proprietor will be asked to leave while they consider their response to the complaint. The trustees will then consider their response.

The trustees will write to the complainant and the Proprietor or Chair, as appropriate, within forty-eight hours of the hearing with their findings. The complainant will not be informed of any disciplinary or capability action which might follow. However, if the investigation does result in a change to the School's policies being implemented, the complainant will be informed of the detail of this. This will bring the involvement of the trustees to a close and further correspondence cannot be entered into.

If a complainant believes that the trustees has acted illegally or arbitrarily in handling the complaint, then the complainant may make representation to the Secretary of State . Where a complaint is judged by the Governing Body to be vexatious, the complainant will be informed that their complaint will not be accepted and will not be investigated.

Please note that complaints regarding the following are not included in this document: Admissions; National Curriculum; Child Protection; School Exclusions; Special Educational Needs and complaints about the trustees. For further guidance on these matters parents are advised to contact the Local Education Authority.

Formal Review Process	Trustees to meet the complainant within 5 days	Concern resolved					
		Concern not resolved	Hearing. Trustees meet with Head and proprietor and the Trustees chair.	Concern resolved			
				Concern not resolved	Trustees then prepare response and write to managing director and complainant.	Concern resolved	
						Concern not resolved	Consider making representation to the secretary of state for DfE

**This policy provides for a written record is kept of all complaints and of whether they are resolved at the preliminary stage or proceed to a panel hearing.**

**Parents/carers can be assured that all complaints will be treated seriously and confidentially. Correspondence, statements and records will be kept confidential except where the secretary of state or a body conducting an inspection under section 162A of the 2002 Act as amended, requests access to them.**



#### Supporting documents

KWS Safeguarding referral process- form i24.

KWS Preventing Bullying in School policy

KWS Whistle blowing policy

KWS Complaints policy

KWS Code of Conduct for all staff and volunteers

KWS RAG risk indicators document, also found in this policy

KWS Safeguarding flow chart.

Individual LA procedure.

The Children Act 1989

The Children Act 2004

Working Together to Safeguard Children (HM Government 2015)

DfES Best Practice advice for school complaints procedures 2016.

DfES guidance” Preventing and Tackling Bullying March 2014.

The Education (Pupil Information) (England) Regulations 2005

Dealing with Allegations of Abuse against Teachers and Other Staff (DfE 2011)

Keeping Children Safe in Education (2016)

Education Act 2002 (section 175/157)

Section 175 of the Education Act 2002 requires local education authorities and the governors of maintained schools and further education (FE) colleges to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children.

Section 157 of the same act and the Education (Independent Schools Standards) (England) Regulations 2003 require proprietors of independent schools (including academies and city

technology colleges) to have arrangements to safeguard and promote the welfare of children who are pupils at the school.

“Working Together to Safeguard Children” (2015) requires all schools to follow the procedures for protecting children from abuse which are defined by the Safeguarding Children Board and have appropriate procedures in place for responding to all concerns of actual or suspected abuse including allegations against members of staff in a position of trust.