

## **COMPLAINTS PROCEDURE FOR PARENTS**

*Revised February 2013, January 2016, May 2017, September, November 2017, March 2018. Also available on School website.*

### **Introduction**

1. Sevenoaks School is committed to providing the best teaching and pastoral care it can for its pupils. It is hoped that any worries or complaints can be dealt with informally through the pastoral care framework, but if not the school has a complaints procedure which is set out below (the "Complaints Procedure"). Formal complaints are extremely rare, reflecting the good relationships between students, parents and the school which enables most matters to be resolved informally.
2. A written record of all complaints, whether they are resolved informally or through the Complaints Procedure, will be kept by the Senior Deputy Head and monitored by the Head and Deputy Heads. Records of complaints which proceed to Stage 3 will be kept by the Clerk to the Governors. The record will show the action taken, and whether or not the complaint is upheld. Complaints about boarding will be identified as such.
3. In accordance with paragraph 32(1)(b) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, Sevenoaks School will make available to parents of pupils and provide, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate, details of the Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year.
4. This procedure applies to parents of current pupils, or past pupils if the complaint was initially raised when the pupil was still registered.

### **What Constitutes a Complaint?**

1. A complaint is an expression of dissatisfaction by a parent (or someone in loco parentis) with a real or perceived problem. Any complaint made about the School as a whole, about a specific department or about an individual member of staff, or any matter about which a parent is unhappy and seeks action by the School, is within the scope of this procedure. A complaint may 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.
2. All concerns and complaints will be treated seriously. The School is here for the students, and parents can be assured that their child will not be penalised for a complaint that is made in good faith, whether justified or not.

## **Confidentiality**

1. All concerns will be treated confidentially. Papers generated by or for the purposes of the Complaints Procedure will be kept confidential to the parents, the members of staff involved, the members of the complaints panel in Stage 3, the Head, Clerk to the Governors, Chairman of Governors, and staff relevant to the processing of the complaint. Information relating to the complaint will be dealt with in accordance with the School's responsibilities under data protection legislation. Information may be disclosed where the Secretary of State or a body conducting an inspection under section 109 of the Education Act 2008 requests access to information, and in so far as it is required of the school by any other legal obligation.

## **The Complaints Procedure**

### **Stage 1: Informal Resolution**

1. It is hoped that most complaints will be resolved quickly and informally.
2. If parents have a concern or complaint, they are encouraged to contact the Tutor or Boarding Housemaster/mistress in the first instance. The Tutor or Boarding Housemaster/mistress will acknowledge the complaint promptly and aim to resolve the complaint with the student or parents. They will consult with more senior staff. Complaints made to another member of staff will normally be referred to the Tutor to follow up in the first instance
3. The Tutor and, where appropriate, the Divisional Head, will speak with or meet the parents as soon as practical and within seven working days\* of the complaint to attempt to resolve the situation.
4. If parents remain dissatisfied after discussion with the Tutor or Boarding Housemaster/mistress, they may raise a complaint directly to the Divisional Head, relevant Deputy Head or the Head who will acknowledge the complaint promptly.
5. Within 7 working days of the complaint being acknowledged, the Divisional Head, Deputy Head or Head will look into the complaint, consulting as appropriate with the Tutor who knows the student best and the Divisional Head and, if appropriate, will meet the parents, to discuss the complaint and attempt to resolve the complaint.
6. If, after the meeting, there is no satisfactory resolution, parents may proceed to Stage 2 of the Complaints Procedure.
7. If the complaint is about the Head, and it cannot be resolved informally, the parents should send the complaint, in writing, to the Clerk to the Governors, who will liaise with the Chairman of Governors, the parents and, as appropriate, the Head.

## **Stage 2: Formal Resolution**

1. If the complaint cannot be resolved by Stage 1, parents should put their complaint in writing to the Head. The Head will decide, after considering the complaint, the appropriate course of action to take.
2. The Head, or a senior member of staff, normally the Senior Deputy Head, a Deputy Head, or Divisional Head, will meet the parents concerned, as soon as feasible and normally within five working days of receiving the written complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
3. If the complaint is not resolved at that stage, or if further investigation is required, the Head will, within 5 working days, either provide to the parents and other concerned parties a written decision with an explanation or, if further investigation is required, a report setting out the next steps to be taken and the timescale for them. Following that further investigation, the Head will provide to the parents and other concerned parties a written decision with an explanation.
4. If the complaint is against the Head, it will be passed to the Chairman of Governors, who may call for further reports and any relevant documents, and who may meet members of staff and the parents. The Chairman will then make a decision and inform the parents and relevant members of staff of the decision and of the reasons for it.
5. If parents are not satisfied with the outcome of Stage 2 of the Complaints Procedure, they may proceed to Stage 3 of the Complaints Procedure.

## **Stage 3: Appeals Procedure<sup>1</sup>**

1. If parents wish to proceed to Stage 3 of the Complaints Procedure, they should give notice in writing to the Clerk to the Governors. The complaint will then be referred to a Complaints Panel for consideration, and the following procedure will apply.
2. The Clerk to the Governors will acknowledge the written notice promptly and will refer the complaint to the Chairman of Governors who will appoint the members of the Complaints Panel. The Clerk will act as secretary to the Complaints Panel. The Clerk will report to the Chairman and the Head to confirm that consideration of the complaint is proceeding in accordance with this procedure but not in respect of the substance of the panel's consideration. The outcome will be communicated to the complainant, Chairman and Head in accordance with paragraph 10.
3. The Complaints Panel will consist of three members, two of whom will be Governors and one of whom will be independent of the management and running of the school\*\*.

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<sup>1</sup> Appeals against exclusions will be considered under this stage 3 process. They will be dealt with as soon as practicable so as to avoid detriment to the student's schooling.

None of the members will have been directly involved in the matters detailed in the complaint.

4. The Clerk to the Governors will, not later than five working days before the Complaints Panel meets with the parents and staff of the school to hear evidence and argument (the "Hearing"), provide copies of all relevant papers relating to the complaint to each member of the Complaints Panel and to the parents. The relevant papers will include the complaint in writing made by the parents and any relevant documents provided by them, and the response by the school and members of staff, so as to set out details of the School's investigations and actions to date, and its conclusions.
5. The Complaints Panel will determine the terms of reference and the steps to be taken leading up to and during the Hearing. It will seek to establish if there are gaps in information, and it may request further facts, evidence or analysis ahead of the Hearing.
6. The Clerk to the Governors will arrange and schedule the Hearing. The Hearing will take place as soon as the parents and the members of the Complaints Panel are available and the relevant papers have been assembled. The aim will be to hold the Hearing within six weeks following receipt by the Clerk to the Governors of the written notice from the parents.
7. The parents may be accompanied to the Hearing by one other person. Legal representation will not normally be appropriate. The Hearing will proceed even if parents choose not to attend unless they indicate that they are now satisfied and do not wish to proceed.
8. If possible, the Complaints Panel will resolve the complaint at the Hearing without the need for further investigation or evidence. Where further investigation or evidence is required the Complaints Panel will decide how it should be carried out or gathered, and in what time period. The aim will be that any further investigation or evidence gathering should be completed within 14 working days. The outcome of further investigation or evidence gathering will be circulated to the parents and the School for comments. The Complaints Panel may then reconvene to consider the outcome of further investigations or evidence. If it does reconvene, it will decide whether the parents and the School should be present.
9. After due consideration of all facts it considers relevant, the Complaints Panel will reach a decision and may make recommendations. The decision of the Complaints Panel will be final.
10. The Clerk to the Governors will send a copy of the decision and the reasons for it to the parents, members of staff involved, the Head and the Chairman of Governors. It will be kept confidential but will be available for inspection at the school.
11. The governors shall consider the decision and recommendations of the complaints panel fully. The governors shall consider whether any further action should be implemented by the school in relation to the complaint.

### **Timeframe for Dealing with Complaints**

1. All complaints will be handled seriously and sensitively. They will be acknowledged promptly and within 5 working days if received during term time and as soon as practicable during holiday periods.
2. It is in everyone's interest to resolve a complaint as speedily as possible: the School's target is to complete the first two stages of the procedure within 20 working days, and Stage 3 within the time set out in paragraph 6 of that Stage.
3. Please note that, for the purposes of this procedure, working days refers to weekdays (Monday to Friday) during term time, excluding bank holidays.

### **Record Keeping and Confidentiality**

1. The School will keep a written record of all complaints, whether they are resolved at Stage 1, Stage 2 or Stage 3, and any action taken by the School as a result of the complaint (regardless of whether the complaint was upheld). At the School's discretion, additional records may be kept which may contain the following information:

- Date when the issue was raised
- Name of parent
- Name of pupil
- Description of the issue
- Records and a chronology 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)

2. The number of formal complaints registered under this Complaints Procedure during the preceding school year is one.

\*Working days are defined as days (Monday to Friday) that the school is in session for teaching

\*\* DfE guidance: people who have held a position of responsibility, used to scrutinising evidence and putting forward balanced arguments e.g. serving or retired business people, civil servants, heads or members of staff at other schools, people with a legal background and retired members of the Police Force