

<i>Policy reference</i>	<i>tbc as new policy register developed</i>
<i>Policy Category</i>	Organisation
<i>Name of policy</i>	<b>Complaints Procedure</b>
<i>Purpose of policy</i>	To ensure that parents understand the process for raising a complaint with the school.
<i>Regulatory or legal requirement addressed by policy</i>	GDPR
<i>Other policies referred to</i>	Privacy and Data Protection Statement
<i>Policy owned by</i>	Senior Deputy Head
<i>Policy must be approved by</i>	SLT and Governing Body
<i>Period of review required</i>	2 yearly
<i>Date current version approved</i>	June 2022
<i>Date effective from</i>	Immediately
<i>Next review due</i>	June 2024
<i>Published on website</i>	Yes

## **SEVENOAKS SCHOOL**

### **COMPLAINTS PROCEDURE FOR PARENTS AND CARERS<sup>1</sup>**

*Revised February 2013, January 2016, May 2017, September, November 2017, March 2018, June 2022. Also available on School website.*

#### **Introduction**

Sevenoaks School is committed to providing the best teaching and pastoral care it can for its pupils. It welcomes suggestions and comments from parents, and takes seriously concerns or complaints which may arise, which can help strengthen educational and pastoral provision.

#### **The Aim of the Procedure**

The aim of this procedure is to achieve an equitable and effective resolution of a concern about either the education or welfare of individual children in the care of Sevenoaks School. These procedures apply to all parents of current students (or past students if the complaint was raised when the pupil was still registered) and to prospective parents of the School. A copy is available on the School's website and can also be obtained on request from the School's Main Office.

#### **Timing**

Equitable and effective resolution of concerns usually requires that they are brought to the School's attention promptly, normally within three months of the relevant event(s). Complaints may be heard after this if the Head or Complaints Panel considers that the delay will not prejudice resolution. 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.

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

A complaint is an expression of dissatisfaction by a parent. 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.

#### **The Complaints Procedure Stage 1: Informal Resolution**

It is hoped that most complaints will be resolved quickly and informally. If parents have a concern or complaint, they are encouraged to contact the Tutor or Boarding Housemaster/

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<sup>1</sup> The expression "parents" is used throughout the document for those with parental responsibility for the child.

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. In the majority of cases the matter will be resolved by this means to the parents' satisfaction. If the tutor cannot resolve the matter alone, it may be necessary for him/her to consult with other staff in the School. (If the complaint is about the tutor, parents should contact their child's Divisional Head.)

If, after the meeting, there is no satisfactory resolution, or if the matter is not resolved within 10 working days, parents may proceed to Stage 2 of the Complaints Procedure.

## **Stage 2: Formal Resolution**

If the complaint cannot be resolved on an informal basis, 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.

The Head, or a senior member of staff, normally the Senior Deputy Head, a Deputy Head, or Divisional Head, will investigate and then meet the parents concerned, as soon as feasible and normally within ten working days of receiving the written complaint, to discuss the matter. If possible, a resolution will be reached at this stage.

If the complaint is not resolved at that stage and the Head is satisfied that as far as possible the relevant facts have been established, the Head will provide to the parents and other concerned parties a written decision and explanation within 5 working days, or as soon as practical if in the holidays. If further investigation is required, a report setting out the next steps to be taken will be communicated and the timescale for them agreed with the parents. Following that further investigation, the Head will provide to the parents and other concerned parties a written decision and explanation within 5 working days of the end of the investigation.

If the complaint is about the Head, and it has not been resolved informally, the parents should send the complaint, in writing, to the Clerk to the Governors ('the Clerk') at [clerk@sevenoaksschool.com](mailto:clerk@sevenoaksschool.com). The Clerk will liaise between the parents, the Chair of Governors, and, as appropriate, the Head. The Chair of Governors may call for further reports and any relevant documents and may meet members of staff and the parents. The aim would be to complete this stage of the procedure within 28 days. The Chair of Governors will then make a decision and inform the parents and relevant members of staff of the decision within 5 working days of the end of the investigation.

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**

If parents wish to proceed to Stage 3 of the Complaints Procedure, they should give notice in writing to the Clerk ([clerk@sevenoaksschool.com](mailto:clerk@sevenoaksschool.com)). The complaint will then be referred to a Complaints Panel for consideration, and the following procedure will apply.

The Clerk will acknowledge the written notice promptly and will refer the complaint to the Chair 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 Chair 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 parents, the Chair of Governors and the Head.

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.<sup>2</sup> None of the members will have been directly involved in the matters detailed in the complaint.

A Hearing will be scheduled to take place as soon as practical, normally within six weeks of receipt of the parents' letter. If this timeframe is not practical, the Clerk will write to parents within the six weeks and agree, with them, an alternative timeframe.

The parents should supply relevant documentation to the Clerk, including copies of their previous written complaint to the Head and any other documentation they may wish to rely on, not more than 7 days after the date of notification of the Hearing. Documentation must be relevant to those matters set out in the complaint.

The Clerk will collate all relevant papers and provide a copy of the full complaint file to the parents, each member of the Complaints Panel and the Head. 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, setting out clearly the School's investigations, conclusions and actions to date.

The Complaints Panel will determine the terms of reference for the Hearing 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.

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.

After due consideration of all facts presented at the Hearing which it considers relevant, the Complaints Panel will make its findings and recommendations. The Clerk will send a copy of the decision and the reasons for it to the parents, the Chair of Governors, the Head, and other members of staff involved within 5 working days of the Hearing. The decision of the Complaints Panel will be final. The decision will be kept confidential but will be available for inspection at the School.

The full Board of Governors or their delegated sub-committee shall consider all Complaints Panel decisions and recommendations and determine what further action should be implemented by the School.

## **Mediation**

At any stage of the process it may be helpful to consider mediation, or a facilitated discussion by an experienced mediator, to address difficult or sensitive issues as constructively as

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<sup>2</sup> 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

possible.

### **Record Keeping**

The School will keep a written record of all Stage 2 or 3 complaints, 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)

A log of complaints will be kept by the Senior Deputy Head and monitored by the Head. Records of complaints which proceed to Stage 3 will be kept by the Clerk. The record will show the action taken, and whether or not the complaint is upheld. Complaints about boarding will be identified as such.

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.

### **Confidentiality**

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, Chair 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. (For further information see the School's Privacy and Data Protection Statement.) 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.

### **Professional Judgement**

Where the judgement of a member of the School's staff is the subject of a complaint, the Complaints Panel will determine whether the judgment was exercised equitably and reasonably according to the School's standards. There may be more than one equitable and reasonable response to a situation. If a complaint is upheld, the Complaints Panel will usually make recommendations to be acted upon by the School's Senior Leadership Team.