



## King Edward's School, Birmingham

### Complaints Procedure

#### Introduction

It is a central purpose of the School to provide the best possible academic and pastoral support and to maintain strong relations between the School, teachers, pupils and parents, based on mutual respect and good communication. So, it is quite likely that parents will raise complaints about their son's progress and welfare. Almost all of these will be easily rectified and the best approach will be for a parent to approach the Form Tutor, whether by email or phone or letter. The Form Tutor will be responsible for dealing with such concerns, but the Form Tutor will also consult the Head of Year or a member of the Senior Management Team, if he/she feels that this would be beneficial. If a parental complaint of this kind relates to a particular teacher, the Form Tutor is likely to consult not only the Head of Year, but also to inform a member of the Senior Management Team. If parents have complaints of greater seriousness or feel that these have not been properly addressed, they may wish to make a formal complaint and all complaints will be dealt with in accordance with the following procedure. This procedure aims to ensure that complaints are dealt with quickly and fairly. Timescales for each stage are set out below in the relevant paragraphs. When we refer to **school working days**, we mean Monday to Friday, when School is open during term time. The dates of terms are published on the School's website

#### Application

This Procedure applies to complaints from parents of current pupils and to parents of former pupils if the complaint was raised when the pupil was registered at the School.

This procedure relates to complaints other than those relating to: whistleblowing; staff grievances and disciplinary procedures; matters likely to warrant a child protection investigation; applications for admission to the school; and complaints about services provided by third parties using school facilities or premises. Issues relating to exclusion or removal of boys are dealt with through the review provisions of the Exclusions, Removal and Review Policy.

#### Stage 1: Informal Resolution

If parents have a complaint, they should contact their son's Form Tutor in the first instance who may refer the matter to the Head of Year or to the Senior Management Team.

- If a complaint refers to a member of the Senior Management Team, it should be made to the Chief Master. If a complaint refers to the Chief Master, it should be made to the Chair of the Independent Schools' Governing Body (ISGB).
- The recipient of the complaint will make a written record of the substance of it, the date on which it was received and the action taken. A copy of this will be lodged with the Chief Master and the details of complaints made in this way are kept on pupils' confidential files.
- It is hoped that most complaints and will be resolved quickly – within 5 school working days - and informally through a meeting of the parents and the relevant member of staff at this stage.

## **Stage 2: Formal Resolution**

- If the complaint cannot be resolved on an informal basis, then the complaint should be put in writing to the Chief Master without delay and at most within 15 school days of the conclusion of Stage 1 above. The parents should state in the letter that they want the matter to be dealt with under the Stage 2 procedure. The letter should be accompanied by a completed copy of the Complaints Form (see Appendix 1)
- Should a formal written complaint be received by another member of the school's staff, it should be immediately passed to the Chief Master.
- The Chief Master will gather information from everyone concerned to confirm the substance of the complaint and then communicate directly with the parents. It may be necessary for the Chief Master to carry out further investigations and this responsibility is likely to be shared with members of the Senior Management Team.
- The Chief Master will keep written records of all meetings and interviews held in relation to the complaint and details of complaints made in this way are kept on pupils' confidential files. These details will be provided to the Panel in the event of a stage 3 Panel hearing.
- Once the Chief Master is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision, within 20 school working days of the receipt of the complaint. The Chief Master will also give reasons for his decision.
- In the event of a formal complaint about the Chief Master, it should be addressed to the Chair of ISGB who will undertake an investigation and determine the appropriate course of action. In all cases the Chair will inform the parents of his decision within 20 school working days of receipt of the complaint.
- If parents are still not satisfied with the decision at this stage, they should proceed to Stage 3 of this Procedure.

## **Stage 3: Panel Resolution**

- If the matter is not resolved satisfactorily at Stage 2, the concern or complaint should be put in writing to the Chair of ISGB, c/o the Foundation Office, Edgbaston Park Road, Birmingham B15 2UD. The intention to move to this stage must be expressed within ten school working days of the receipt of the Chief Master's or Chair's decision letter under the Stage 2 procedure.
- It is not possible to move to this stage without following through the Stage 2 procedure.
- The Clerk to the Governors will convene a meeting of the Review Panel. They will, on behalf of the Panel, acknowledge the complaint and schedule a hearing to take place as soon as practicable and within fifteen school working days.

- The Review Panel will consist of at least three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the School. The Panel members shall be appointed by the Clerk to the Governors and one of them will be appointed to be the Chair of the Panel.
- If the Review 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 not later than five school working days prior to the hearing.
- Parents may bring a friend to the meeting, who may speak on their behalf if they feel unable to express themselves as they would like.
- At least two school working days before the Review Panel hearing, the Chief Master will provide a statement to the Review Panel and to the parents of the circumstances of the case and the action he has taken so far.
- The parents, and friend and pupil if attending, will come before the Review Panel at the same time as the Chief Master. When it is agreed that all have read and understood the Chief Master's statement, the parents will make their statement, identifying the factors which give grounds for their complaint. There will be an opportunity for clarification and discussion of the points raised by all concerned.
- The parent, the Chief Master and, where relevant, the person complained about will be given a written copy of the Review Panel's findings and recommendations within five school working days. The findings of the panel will be final.
- The findings and recommendations will be kept on the school premises and will be available for inspection only by the Chair of ISGB and the Chief Master.
- The 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 & Skills Act 2008 requests access to them. The School will provide upon request to the Independent Schools' Inspectorate a written record of all formal complaints made during any specified period, and the action which was taken as a result of each complaint.

Parents have the right to contact the Independent Schools Inspectorate (ISI) if they have a complaint that has not concluded to their satisfaction through the School's Complaints Procedure. ISI can be contacted at [concerns@isi.net](mailto:concerns@isi.net), on 020 7600 0100 or at the following address:

Independent Schools Inspectorate  
 CAP House  
 9 - 12 Long Lane  
 London  
 EC1A 9HA

It is expected that complaints will go through the School's Complaints Procedure before ISI is contacted.

### **Record of complaints**

A written record will be kept of all formal complaints, and of whether they were resolved at Stage 2 or proceeded to a Complaints Panel Hearing, including the action taken by the School as a result of the complaints (regardless of whether they are upheld) During the academic year 2015-16 two formal complaints were received which were resolved at Stage 3.

This policy is available to parents of current pupils and parents of prospective pupils on the school's website, [www.kes.org.uk/policies-documents](http://www.kes.org.uk/policies-documents) and in written form on request from the school.

## Appendix 1

Please complete and return to the Chief Master who will acknowledge receipt and explain what action will be taken.

Your name:

Student's name:

Your relationship to the student:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint:

What action, if any, have you already taken to try and resolve your complaint (who did you speak to and what was the response)?

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

**Official use**

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

## Appendix 2

### Procedure for Panel Hearing

The hearing is as informal as possible. The order of business will be as follows:

- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses\* (if any).
- The Chief Master may question both the complainant and the witnesses after each has spoken.
- The Chief Master is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Chief Master and the witnesses after each has spoken. The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Chief Master is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues. The Chair explains that both parties will hear from the panel within a set time scale.

\*Witnesses are only required to attend for the part of the hearing in which they give their evidence.

The Chief Master may be accompanied at the meeting by another member of staff, usually the person who has taken the lead in carrying out the initial investigation.