



KENSINGTON PARK SCHOOL

COMPLAINTS PROCEDURE

Associated guidance and policies:

- Education and Skills Act (2008)
- Education (Independent School Standards) Regulations (2014)
- Boarding Schools: National Minimum Standards, September 2022
- The independent Schools Standards Guidance for Independent Schools, April 2019
- ISI Inspection Handbook, September 2023
- ISI Inspection Framework, September 2023
- KPS Achievement, Behaviour, Rewards and Sanctions Policy
- KPS Exclusion, Removal, Suspension and Review Policy
- KPS Data Protection Policy and Privacy Notice
- KPS Safeguarding and Child Protection Policy
- This procedure addresses The Education (Independent School Standards) Regulations (including updates from September 2020), Part 6, paragraph 32, (3)(f) – Provision of information and Part 7, paragraph 33 – Manner in which complaints are to be handled.

Reviewed and updated: Nov 2023

Next Review: Sep 2024

1. INTRODUCTION

Kensington Park School (KPS) is proud of the quality of the teaching and pastoral care provided to its students. However, if parents do have a complaint, they can expect it to be treated by the School with care and in accordance with this Complaints Procedure.

KPS makes its Complaints Procedure available to all parents of students and of prospective students on the School's website and in the School office during the school day, and the school will ensure that parents of students and of prospective students who request it are made aware that this document is published or available and of the form in which it is published or available, and of the number of complaints registered under the formal procedure during the preceding school year.

In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulation 2014, KPS will also make available, on request, to Ofsted, the Department for Education (DfE) or the Independent Schools Inspectorate (ISI), details of this Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year.

Although this Procedure is made available to parents of prospective students, it is not available for use by them; it may only be used by parents of current students.

Complaints by parents of former students will be dealt with under this Complaints Procedure only if the complaint was initially raised when the student to which the complaint relates was still registered as a student at the School. The only exception to this is if the complaint is a review of a decision taken by the Headmaster to exclude or require the removal of a student under the School's Terms and Conditions in which case such a review must be requested by no later than five working days from the date of the decision to exclude or require the removal of a student.

'Parent(s)' means the holder(s) of parental responsibility for a student about whom the complaint relates.

Advisory Board means the Kensington Park School Advisory Board.

All references to the 'Chair of the Advisory Board' include any member of the Board acting in place of the Chair at the Chair's direction.

'Clerk' means the Clerk to the Kensington Park School Advisory Board or their deputy whose address is:

The Clerk to the Kensington Park School Advisory Board
59 Queen's Gate, South Kensington
London
SW7 5JP

clerk@kps.co.uk

2. TIMEFRAME FOR DEALING WITH COMPLAINTS

All complaints will be handled seriously, sensitively and within clear and reasonable timescales.

It is in everyone's interest to resolve a complaint as speedily as possible. Timescales for each stage are set out below in the relevant paragraphs. Reference to 'working days' means Monday to Friday, when the School is open during term time and excludes bank holidays and half terms – the dates of terms are published on the School's website. Any complaints raised during school holidays will be acknowledged when the School opens for the new term. The School's target is to complete the first two stages of the procedure within 28 working days. Stage 3, the Appeal Panel Hearing, will be completed within a further 20 working days.

This means that during School holidays it may take longer to resolve a complaint; although the School will do what is reasonably practicable to avoid undue delay. It may also take longer to resolve a complaint during periods of significant disruption to School life or as a consequence of unavoidable staff absence, however deviation from the normal timescale for resolving a complaint during term time will only occur on an exceptional basis, and the School will take all reasonable steps to limit any such delay.

3. WHAT CONSTITUTES A COMPLAINT?

A complaint is an expression of dissatisfaction with a real or perceived problem, and a parent of a pupil seeks action by the School is a complaint. It may be made about the School as a whole, about a specific department or about an individual member of staff. A complaint is likely to 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.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. The School is here for your child and you can be assured that your child will not be penalised for a complaint that you or your child raise in good faith.

4. THE THREE-STAGE COMPLAINTS PROCEDURE

4.1. Stage 1 – Informal Resolution

It is hoped that most complaints and concerns will be resolved quickly and informally.

Parents should raise the complaint initially with the person suggested below:

- Education issues (for example, relating to the classroom, curriculum or special educational needs): Tutor, Head of Faculty or Head of Year as appropriate.
- Pastoral care (for example, relating to outside the classroom): Tutor or Head of Year as appropriate.
- Disciplinary matters (for example, relating to disciplinary action taken or a sanction imposed): the member of staff who imposed it then, if not resolved, with the Head of Year.
- Financial and administrative matters (for example, fees, extras or other administrative matters): Business Director.
- Admissions matters: Admissions Manager.
- Individual staff member: Headmaster
- Head of School: Headmaster
- If, however, the complaint is against the Headmaster, parents should make their complaint directly to the Chair of the Kensington Park School Advisory Board whose contact details are available from the Clerk on request.

If the complaint is not raised with the designated staff member set out above, parents will be asked to redirect it to the appropriate individual under this policy. Any complaints raised directly with the Headmaster will be referred to the appropriate members of staff.

Acknowledgement: Complaints will be acknowledged by telephone or email within two working days of receipt during term time or as soon as practicable in the holidays.

The designated member of staff will make a written record of all concerns and complaints and the date on which they were received. Should the matter not be resolved within 14 working days, or in the event that the designated member of staff and the parent fail to reach a

satisfactory resolution, then parents should raise the matter with the Headmaster for resolution under Stage 2 of this Complaints Procedure.

4.2. Stage 2 – Formal Resolution

If the complaint cannot be resolved on an informal basis then the parents should put their complaint in writing to the Headmaster. The Headmaster will decide, after considering the complaint, the appropriate course of action to take.

In most cases, the Headmaster will meet or speak the parents concerned, within 7 working days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.

It may be necessary for the Headmaster, or their nominee, to carry out further investigations.

The Headmaster will keep written records of all meetings and interviews held in relation to the complaint.

Once the Headmaster 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 in writing. The Headmaster will also give reasons for their decision. In most cases, the Headmaster will make their decision and provide the parents with reasons within 14 working days of the complaint being put in writing.

If the complaint is against the Headmaster, the complaint should be made to the Chair of the Advisory Board. The Chair or their nominee will call for a full report from the Headmaster and for all the relevant documents. The Chair or their nominee may also call for a briefing from members of staff, and will in most cases, speak to or meet with the parents to discuss the matter further. Once the Chair or their nominee is satisfied that, so far as is practicable, all of the relevant facts have been established, the parents will be informed of the decision in writing. The Chair of the Advisory Board or their nominee will give reasons for his/her decision.

If parents are still not satisfied with the decision, they should write to the Clerk within 7 days of the decision complained of – this would invoke Stage 3 of the process.

4.3. Stage 3 – Panel Hearing

If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution) they should do so in writing to the Chair of the Advisory Board within 7 days of the conclusion of Stage 2 setting out their grounds of appeal; all correspondence should be sent to the Clerk within seven days of the decision complained of. The Clerk's contact details are given under Section 1 above. Any supporting evidence which the parents wish to rely on should also be provided with their grounds of appeal.

New matters of complaint, not previously dealt with should be raised as new concerns under Stage 1 or 2. If new matters of complaint are raised in an appeal to the Chair of the Advisory Board, they will be acknowledged and the parents informed of the person to whom they have been referred.

The Chair will then refer the appeal to the Complaints Panel for consideration. The Panel will consist of three persons not directly involved in the matters detailed in the complaint and one of whom shall be independent of the management and running of the School. The Chair of the Advisory Board will appoint one Panel member to act as Chair of the Panel. The Clerk to the Advisory Board, on behalf of the Panel, will then acknowledge the complaint within 5 working days and schedule a hearing to take place within 20 working days.

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 or further investigation be carried out. Copies of such particulars shall be supplied to all parties not later than 5 working days prior to the hearing.

The parents may attend the hearing and be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not normally be appropriate. The Panel will decide whether it would be helpful for witnesses to attend.

The Headmaster shall also be entitled to be accompanied to the hearing by one other person if they wish.

The remit of the Panel shall be at the discretion of the Chair of the Advisory Board and the manner in which the hearing is conducted shall be at the discretion of the Panel.

If possible, the Panel will resolve the parents' complaint 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 the merits of the complaint and all facts they consider relevant, the Panel will make findings as to whether or not the Stage 2 decision was a reasonable one and decide whether to:

- dismiss the complaint(s) in whole or in part;
- uphold the complaint(s) in whole or in part; and
- make recommendations.

The Panel will write to the parents informing them of its decision and the reasons for it, within 5 working days of the hearing (although additional time may be required if it is necessary to carry out further investigations following the hearing). The decision of the Panel will be final.

A copy of the Panel's findings and recommendations (if any) will be sent by electronic mail or otherwise given to the parents, and, where relevant, the person complained about as well as the Chair of the Advisory Board and the Headmaster. A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the School premises by the Advisory Board and the Headmaster.

5. PERSISTENT CORRESPONDENCE

Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, this may be regarded by the School as vexatious and outside the scope of this procedure.

6. RECORDING COMPLAINTS AND USE OF PERSONAL DATA

Following resolution of a complaint, the School will keep a written record of all complaints, whether they are resolved at Stage 1, Stage 2 or proceed to a Panel hearing Stage 3 and any action taken by the School as a result of the complaint (regardless of whether the complaint is upheld).

The School processes data in accordance with its Privacy Notice. When dealing with complaints the School (including any Panel member appointed under the Stage 3 process) may process a range of information, which is likely to include the following:

- Date when the issue was raised
- Name of parent
- Name of student
- Description of the issue

- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name and contact details 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)
- Notes/minutes of the hearing, and
- The Panel's written decision

This may include 'special category personal data' (as further detailed in the School's *Privacy Notice*, but potentially including, for instance, information relating to physical or mental health) where this is necessary owing to the nature of the complaint. This data will be processed in accordance with the School's Data Protection Policy.

The School will keep records of formal complaints and Complaints Panel hearings, as required by regulation. It will do so in accordance with its Privacy Notice and Data Protection Policy.

For the academic year 2022-23 the School received 1 stage 2 complaint and no stage 3 complaints.

7. COMPLAINTS BY STUDENTS

7.1. How to make an informal complaint:

If students wish to complain about something or someone, they should firstly speak to any member of staff (for example, their Tutor or Head of Year). They do not need to inform the person they are complaining about, or anyone else, that they are raising a complaint.

7.2. How to make a formal complaint

If the matter is not informally settled to a student's reasonable satisfaction, they should write to the relevant Senior Member of Staff: Head of Sixth Form, Head of Senior School, Director of Studies, Head of Boarding.

They should state that they wish to make a formal complaint. This can be done via email. Once again, they do not need to inform the person they are complaining about, or anyone else, that they are raising a complaint.

A student making a complaint in good faith can always expect their complaint to be taken seriously and for it to be dealt with thoroughly. All complaints will be recorded with details of the date, nature of the complaint, the action taken and the outcome with any supporting documentation.

The Senior Member of Staff will acknowledge receipt of the complaint via email and propose a meeting to discuss the complaint.

The meeting may be with a Senior Manager of the student's choice. Following the meeting, the complaint will be investigated and then the Head of Sixth Form or Head of Senior School will inform the student whether the complaint is upheld, partially upheld or not upheld, with reasons, in person or in writing. The student will receive this decision within 14 working days if they made the complaint during term time and as soon as practicable outside of term.

Review: If a student is not satisfied with the decision regarding a formal complaint, they may write to the Headmaster, setting out the reasons for dissatisfaction. This may be via email. The Headmaster will review the decision and will inform the student of his findings within 14 working days of receiving a request for a review. The Headmaster has sole discretion as to his subsequent course of action. This decision will be final.

7.3. Bringing support

Please note that a student may bring a friend, Tutor or member of staff with them when they are making any type of complaint or speaking to the Senior Manager or Headmaster about the complaint.

7.4. Child Protection and Safeguarding

Procedures concerning any matters regarding child protection and/or safeguarding matters are detailed in the Safeguarding (Child Protection) Policy.

8. CONTACTING ISI

The School is inspected by ISI, an independent organisation that reports to the Government on schools. If you are unhappy with this procedure you can contact Independent Schools Inspectorate, Ground Floor, CAP House, 9-12 Long Lane, London EC1A 9HA; telephone 020 7600 0100.


9. MONITORING AND REVIEW

The Advisory Board will monitor the number and type of complaints received and the operation of the procedures set out in this policy. They will also review the policy at least annually to ensure it meets statutory requirements and continues to reflect best practice.

Reviewed and updated: Nov 2023


Next Review: Sep 2024

KPS Advisory
Board Member

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08 December 2023

Acting
Headmaster

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07 December 2023