



MOUNT
KELLY

Boarding and Day School
Boys and Girls, Aged 4-18

Parental Complaints Policy

(This policy applies to all pupils including those in the EYFS)

Reviewed May 2024
Next Review May 2025
Owner Senior Deputy Head / Head of Prep

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1. Introduction

- 1.1.** The Mount Kelly Foundation aims to provide excellence in its academic and extra-curricular provision and in its pastoral care, within a caring and happy environment for its pupils and staff. There may, however, be occasions when parents or carers are dissatisfied and wish to make a complaint.
- 1.2.** The primary aim of this policy is to set out the means by which complaints may be resolved as fairly and quickly as possible. Complaints will be dealt with in a sensitive, impartial and confidential manner. We believe that it is beneficial to deal with a complaint informally wherever possible and as speedily as is practicable.
- 1.3.** Mount Kelly makes its Complaints Procedure available to all parents of pupils and of prospective pupils on the School's website and in hard copy from the School Reception office (Prep and College) during the school day.
- 1.4.** In accordance with paragraph 32(1)(b) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, Mount Kelly will also make available, on request, to Ofsted, the Department for Education (DE) or the Independent Schools Inspectorate (ISI), details of the School's Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year.

2. Who may make a complaint?

- 2.1.** The school's complaints policy applies to parents, guardians and carers of current pupils and to anyone who makes use of the school's services or facilities.
- 2.2.** "Parent(s)" means the holder(s) of parental responsibility for a current pupil to whom the complaint relates
- 2.3.** Complaints by parents of former pupils will be dealt with under this Complaints Procedure only where the complaint was initially raised when the pupil to which the complaint relates was still registered as a pupil at the School.
- 2.4.** The means by which complaints by pupils are managed is set out in the Pupil Complaint Policy.

3. What is a complaint?

- 3.1.** A complaint is an expression of clear dissatisfaction made by any of the parties set out above. It may be about school policy, procedures, the conduct, actions or omissions of members of staff employed by the school or about the standards of teaching and learning.
- 3.2.** There is a distinction between a complaint and a concern – the latter being an expression of worry, or a question. The member of staff who is first approached by the complainant should ask the complainant whether they are making a complaint, or simply raising a concern. Should there be any uncertainty, the complainant should be directed to the Senior Deputy Head or the Head of Prep.

- 3.3. It is hoped that concerns can be dealt with swiftly and informally without having to invoke the complaints policy and procedure.
- 3.4. This policy does not cover suspensions and exclusions. Complaints regarding suspensions and exclusions should be made in accordance with the School's Suspension and Exclusion Policy.
- 3.5. As far as the data can be gathered, concerns will also be logged on the Complaints Log, but clearly marked as concerns rather than complaints.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. No child or parent will be penalised for a complaint that is raised in good faith.

4. Stage One – Local resolution of the problem (Informal Stage)

- 4.1. If parents have a complaint they should normally contact their child's Form Teacher (at the Prep) or Housemaster/Housemistress (Hm) (at the College).
- 4.2. Having established whether it is a concern or a complaint, the Form Teacher or Housemaster/Housemistress will seek to resolve the matter straightaway to the parents' satisfaction. If the Form Teacher or Housemaster/Housemistress cannot resolve the matter alone, it will be necessary for him/her to consult the Senior Deputy Head or Head of Prep.
- 4.3. The Form Tutor or Housemaster/Housemistress will inform the Senior Deputy Head or Head of Prep of all concerns and complaints and the date on which they were received and they will ensure that a record is made of the complaint with the HR Manager.
- 4.4. Complaints made directly to the Senior Deputy Head or Head of Prep will usually be referred to the relevant Form Teacher, Housemaster/Housemistress, or member of the Senior Leadership Team, unless the Senior Deputy Head or Head of Prep deem it appropriate to deal with the matter personally.
- 4.5. Should the matter not be resolved within 10 working days, or in the event that the relevant member of staff and the parent fail to reach a satisfactory resolution, then the parents will be advised to proceed with their complaint in accordance with Stage Two of this procedure. This time period may be extended during school holidays.
- 4.6. In the event of a complaint being made against the Senior Deputy Head or the Head of Prep, the complaint should be made directly to the Principal of the Foundation.
- 4.7. If the complaint is against the Principal of the Foundation, parents should make their complaint directly to the Chair of Governors, whose contact details are available from School Reception on request.

5. Stage Two – Formal Stage

- 5.1.** If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Principal of the Foundation, within fourteen days of being advised to do so. Parents may decide to go straight to Stage Two if they feel that Stage One is not appropriate given the nature of their complaint.
- 5.2.** This correspondence should include the following:
 - Details of the nature of the complaint
 - The names of those involved, including witnesses where known
 - The dates of the incidents where known
 - The resolution the parents are seeking
 - An explanation by the parents of why informal resolution at Stage One was impossible if relevant
- 5.3.** The complainant may not bring into the Stage Two complaint matters and grievances that were not brought forward at Stage One, unless the further grievance relates to the conduct and management of the complaints process in the earlier stage.
- 5.4.** Acknowledgement of receipt of the complaint will be sent to the complainant by the Principal of the Foundation within two days of its receipt, though this period may be extended during school holidays.
- 5.5.** The Principal of the Foundation may wish to meet the parents concerned to discuss the matter, and would aim to do so within five days of receiving the complaint. This time period may be extended during school holidays, but should not exceed two working weeks. It may be that the issue can be resolved at this stage.
- 5.6.** If this is not the case, however, it is likely that the Principal of the Foundation will wish to carry out further investigations, and will appoint an Investigating Officer for this purpose.
- 5.7.** The Principal of the Foundation and the Investigating Officer will keep written records of all meetings and interviews held in relation to the complaint, and may be accompanied in those meetings.
- 5.8.** The Investigating Officer will liaise directly with the complainant, and will most likely wish to interview the complainant.
- 5.9.** Once the Principal of the Foundation has received the Investigating Officer's report, and is satisfied that, so far as is practicable, all of the relevant facts have been established, the Principal of the Foundation will write formally to the complainant, setting out the following:
 - The details of the findings
 - Actions taken, and possibly also recommendations

- The process for requesting a Stage Three complaint Panel Hearing, should the complainant remain dissatisfied

The Principal of the Foundation will aim to submit the findings and recommendations to the complainant within fourteen days of being appointed. This timescale may be altered, however, to account for the complexity of the complaint, and school holidays, and may be the result of discussion between the complainant and the Principal of the Foundation.

- 5.10.** In the event of a complaint being made against the Principal of the Foundation, the complaint should be made to the Chair of Governors (or delegated governor in his/her absence) and a nominated governor will investigate it in the same way that a complaint about any other teacher would be handled. The nominated governor will be responsible for responding to the parent concerned.

6. Stage Three – Request for a panel hearing

- 6.1.** If complainants are not satisfied with the resolution offered at Stage Two they should make a request in writing or via email (marked 'strictly confidential') to the Principal of the Foundation. This must be submitted within fourteen days of receipt of the report from the Stage Two investigation.
- 6.2.** Parents must have submitted a Stage Two complaint prior to requesting a Stage Three complaint.
- 6.3.** This correspondence should include the following:
- Details of the nature of the complaint
 - The names of those involved including witnesses
 - The dates of incidents
 - The resolution the parents are seeking
 - An explanation by the parents of why resolution at Stage Two was impossible.
 - Should the complainant have concerns about the conduct and management of the Stage Two complaint process, this should also be made clear in the request for a Stage Three Panel Hearing.
- 6.4.** The complaint will be referred to a panel consisting of two members of the Governing Body (not the Chair or any Governor who has been responsible for dealing with the matter at Stage Two) and one independent person who shall not be part of the management or running of the Foundation. A separate email address will be established for the independent panel member. The panel members shall not be directly involved in the matters detailed in the complaint.
- 6.5.** NB. The Department for Education gives the following guidance on the identity of an independent panel member:

“Our general view is that people who have held a position of responsibility and are used to analysing evidence and putting forward balanced arguments would be suitable. Examples of persons likely to be suitable are serving or retired business people, civil servants, heads or senior members of staff at other schools, people with a legal background and retired members of the Police Force might be considered.”

- 6.6.** Each of the panel members shall be appointed by the Principal of the Foundation and Chair of Governors who, on behalf of the panel, will then acknowledge the complaint within two days of receipt of the request for a panel hearing, and will schedule a hearing to take place as soon as practicable. This will normally be within 21 days of the request being made, though in exceptional and more complex cases up to two months may be required and, again, school holidays may cause some delay.
- 6.7.** The panel will review all evidence considered during the previous investigations and the responses. 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. Copies of such particulars shall be supplied to all parties not later than two days prior to the hearing.
- 6.8.** The panel will only consider complaints that have been through the Stage Two process, and may not bring into the Stage Three complaint matters and grievances that were not brought forward at Stage One or Stage Two, unless the further grievance relates to the conduct and management of the complaints process in the earlier stages.
- 6.9.** Complainants have the right to attend the panel hearing and to be accompanied by one other person, and the school should be notified seven days in advance who this will be. In the event that a complaint reaches Stage Three it is recommended neither party brings legal representation: the process does not constitute a legal proceeding.
- 6.10.** If possible, the panel will resolve the parents’ complaint immediately without the need for further investigation.
- 6.11.** Where further investigation is required, the panel will decide how it should be carried out. After due consideration of all facts they consider relevant, the panel will reach a decision and may make recommendations, which it shall complete within 14 days of the hearing. The panel chair will write to the parents informing them of its decision and the reasons for it. The decision of the panel will be final.
- 6.12.** A copy of the panel’s findings and recommendations will be sent by electronic mail or otherwise given to the complainant and, where relevant, to the person complained about or who has responsibility for the area being complained about. This will be provided to all parties within 21 days of the completion of the panel hearing. They will be available for inspection on the school premises by the Head of Prep, The Senior Deputy Head, The Principal of the Foundation and the Chair of Governors.

- 6.13.** Whether or not a hearing takes place, the findings and decision of the panel together with any recommendation they make will be provided in writing to all parties within 28 days.

7. Mediation

- 7.1.** At any stage of the complaint process, the School will consider the use of mediation to deal with difficult and sensitive matters involving pupils with different needs.

8. Persistent Correspondence

- 8.1.** Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all 3 stages, this may be regarded by the School as vexatious and outside the scope of this procedure.

9. Recording of Complaints

- 9.1.** A written record is kept of all complaints, and of whether they are resolved at the preliminary stages or proceed to a panel hearing. The complaints log will be maintained by the HR Manager. The complaints log will include details of all action taken, regardless of whether the complaint was upheld.
- 9.2.** All correspondence, statements and records of complaints relating to individual complaints are kept confidential (except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access to them.)
- 9.3.** The written record of all complaints is reviewed regularly by the Principal of the Foundation or the Senior Deputy Head.
- 9.4.** Parents of children in EYFS have the right to complain directly to the Registration Authority (OFSTED) on 0300 123 1231 should they believe that the school is not meeting the EYFS requirements.
- 9.5.** Furthermore, in the case of complaints from parents of children in EYFS, a written record of all complaints and their outcomes/action taken must be made available to the Registration Authority (OFSTED and ISI) on request.
- 9.6.** A record of complaints is kept for a minimum of three years and any complaints relating to pupils in the EYFS will be held for at least three years.
- 9.7.** Being OFSTED registered, the school will notify the complainant of the outcome within 28 days of the receipt of the complaint. The school will provide OFSTED/ISI with a written record of complaints and any action taken on request.
- 9.8.** At any stage of the complaints procedure parents may communicate with, appeal or complain to OFSTED at www.ofsted.gov.uk and/or the Independent Schools Inspectorate at www.isi.net
- 9.9.** Parents can make a complaint to ISI or Ofsted and contacts are below:

Independent Schools Inspectorate Ground Floor 9-12 Cap House Long Lane London EC1A 9HA	Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD
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Telephone 020 7600 0100 or 020 7710 9900

The total number of Stage Two complaints received between May 2023 and May 2024 is 3.