Kimbolton School
Cambridgeshire

PARENTAL COMPLAINTS PROCEDURE

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Governor Committee: Education
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Parental Complaints Procedure

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INTRODUCTION

Kimbolton School has long prided itself on the range and quality of the educational opportunities and on the care and welfare provided to its pupils. Where Parents wish to make a complaint about their son or daughter's education, or their care and welfare and are unhappy and seek action, they can expect the complaint to be treated seriously and professionally by the School in accordance with the procedure set out below. It is the ambition of the School for complaints to be resolved either to the complainant's satisfaction or with an otherwise appropriate outcome which balances the rights and duties of pupils without unreasonable delay. This procedure also applies to pupils including boarders and to staff.

In DfE's *Best Practice Advice for School Complaints Procedures* 2020 issued January 2021, the difference between a concern and a complaint is defined:

'A 'concern' may be defined as '*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*'. A complaint may be generally defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. Schools should take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

There are occasions when complainants would like to raise their concerns formally. In those cases, the school's formal procedure should be invoked through the Levels outlined within their procedure'.

LEVEL 1 – INFORMAL RESOLUTION

1. It is expected that concerns and complaints will be brought promptly to the attention of an appropriate member of staff so that they can be resolved quickly and informally.
2. If Parents have a concern or complaint, they should normally contact their son/daughter's Form Tutor. In many cases, the matter will be resolved straightaway by this means to the Parents' satisfaction. If the Form Teacher alone cannot resolve the matter, it may be necessary for them to consult the Housemaster/mistress.
3. Complaints made directly to a Head of Department or member of the SLT will usually be referred to the relevant Form Tutor unless the Head of Department or member of the SLT deems it appropriate to deal with the matter personally.
4. The member of staff dealing with the matter will make a record of all concerns and complaints and the date on which they were received. Should the matter not be resolved within 5 (five) school days or, if the member of staff and the Parents fail to reach a satisfactory resolution, then Parents will be advised that they may proceed with their complaint in accordance with Level 2 of this Procedure.

LEVEL 2 – FORMAL RESOLUTION

1. If the complaint cannot be resolved on an informal basis, then the Parents may seek a formal resolution and should put their complaint in writing to the Headmaster. Acknowledgement of the complaint should be made formally and in writing within 1 (one) school day of receipt.
2. In most cases, the Headmaster will meet or speak to the Parents concerned, normally within 2 (two) school days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.

3. It may be necessary for the Headmaster to carry out further investigations, which he may choose to delegate to an appropriate colleague or external agency
4. The Headmaster will keep written records of all meetings and interviews held in relation to the complaint. These records will be kept for at least six years.
5. 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. This should occur within 20 (twenty) school days of the written complaint being received. The Headmaster will also give reasons for his decision.
6. If Parents are still not satisfied with the decision of the Headmaster, they will be advised that they may proceed with their complaint in accordance with Level 3 of this Policy.
7. Irrespective of whether a complaint proceeds to Level 3, the Headmaster will review serious complaints and their outcomes and will report to the Governing Body, through the Risk Committee in the Autumn term of the following year. This report will highlight the number of formal parental complaints received during the academic year, i.e. those that have reached Level 2 and Level 3, and their success or otherwise of their resolution. Complaints of a Level 2 nature or above are subsequently formally reported to the Full Governing Board in the Autumn term.
8. Parents with children in the EYFS may wish to direct their complaint to the Independent Schools Inspectorate. Their contact details are at the end of this policy.

LEVEL 3 – APPEAL TO A PANEL HEARING

1. Where a parent is not satisfied with the response at Level 2 and indicates a wish to take the matter further to a Level 3 complaint, a panel hearing will take place unless the parent later indicates that they are satisfied and do not wish to proceed with the hearing.
2. If Parents seek to invoke Level 3 (following a failure to reach an earlier resolution), they will be referred to the Clerk to the Governors who has been appointed by the Governors to call hearings of the Complaints Appeal Panel.
3. Parents must put their request for their complaint to be referred to a Governors' panel in writing to the Clerk to the Governors within 7 (seven) calendar days of receiving the Level 2 decision, setting out clear reasons for requesting an appeal
4. Panels will be provided with clear terms of reference and guidance which will enable them to reach a final decision within the specified timescale.
5. The matter will then be referred to the Panel for consideration. The 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. Each of the Panel members shall be appointed by the Governors. The Clerk to the Governors, on behalf of the Panel, will then acknowledge the complaint in writing and schedule a hearing to take place as soon as practicable and, if possible, within 30 (thirty) school days.
6. The hearing may be either sequential or round table with all parties present and this will be determined by the Chair of the hearing.
7. 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 3 (three) school days prior to the hearing.
8. Parents may be accompanied to the meeting of the Panel by one other person. This may be a relative or friend; parents may not be represented by a lawyer.
9. The Clerk to the Governors will make a written record of the meeting. These records will be kept for at least six years.
10. If possible, the Panel will resolve the Parents' complaint immediately without the need for further investigation. In this case the Clerk to the Governors will record in the notes of the meeting that a resolution has been reached. Under these circumstances, once approved by

the Chair of the Panel, a copy of the written notes of the meeting will be sent to each of the Panel members, the Parents, the Headmaster and the Chairman of Governors within 5 (five) school days of the meeting. The Clerk to the Governors will retain the original copy of the notes of the meeting signed by the Chairman of the Panel.

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. The Parents and the Headmaster will be informed in writing, by the Clerk to the Governors, that further investigation is being carried out.

12. Where further investigation is required, the Panel will make every effort to reach a decision on the complaint within 10 (ten) school days of the Hearing. Where delay seems possible the Clerk to the Governors will write to the Parents and the Headmaster advising them of the delay and outlining an alternative schedule.

13. After due consideration of the merits of the complaint and all facts they consider relevant, the Panel will make findings as to whether the Stage 2 decision was a reasonable one and decide whether to:

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

14. Any complaint of a decision taken by the Headmaster or Senior Deputy Head to exclude or require the removal of the pupil will be governed by this Stage 3 of the School's Complaints Procedure. In such circumstances, the Panel may only uphold the complaint and ask the Headmaster or Senior Deputy Head to reconsider their decision if their consider, having regard to the process followed by the Headmaster/Senior Deputy Head, that their decision to exclude / require the removal of the pupil was not a reasonable decision for them to have taken.
15. Once the Panel has reached a decision, their findings and any recommendations will be sent in writing to the Parents, the Headmaster, the Senior Deputy Head and, where relevant, any person(s) complained of. These will be available in the Headmaster's office and available for inspection from ISI.
16. The decision of the Panel will be final in all cases unless Parents consider that the nature of their complaint, if unresolved, is such that it is a matter for the Secretary of State for Education, the Charity Commission or the Courts or any other statutory body.
17. If the complaint is not resolved, then parents will be informed in writing that they may use 'Alternative Dispute Resolution' (ADR). Parents will be provided with the name of a certified ADR provider and will also be told whether the school intends to use ADR in that particular instance. Use of ADR by schools and parents is voluntary; however, schools must provide information to parents even if they do not intend to use ADR. ADR decisions will be binding on the school where this is agreed between the ADR provider and the school.
18. Parents and all staff can be assured that all concerns and complaints will be treated seriously and with strict confidentiality. Correspondence, statements and records will be kept strictly confidential except in so far as is required of the school by the Independent Schools Standards Regulations; where disclosure is required in the course of the school's inspection; or where any other legal obligation prevails. For complaints relating to children in the EYFS then records of these complaints will be made available to the Department for Education and to the ISI on request. All Level 3 complaints will be reported to the Risk Committee and the Full Governing Board as described above.

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.

RECORD KEEPING

Each School will keep a log of complaints received at Level 2 and Level 3, which states the details of the complaint and

1. whether they are resolved following a formal procedure, or proceed to a panel hearing; and
2. action taken by the school as a result of these complaints (regardless of whether they are upheld);
3. correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under Sections 108 & 109 of the Education & Skills Act 2008 requests access to them.

Logs are kept by the Headmaster and Prep Head of all concerns at Level 1 and complaints at Level 2 and 3.

The logs are checked for patterns by the Headmaster and Prep Head, and Senior Deputy Head, in a review meeting, and are reviewed by Governors in the Risk Committee, alongside the minutes from the review meeting.

NUMBER OF FORMAL COMPLAINTS IN 2025-26

- Level 2: 2 formal resolutions
- Level 3: 0 appeals to panel hearing

EARLY YEARS FOUNDATION STAGE (EYFS)

In the first instance, complaints should be raised with the Form Tutor, then subsequently with the Head of Prep or the Headmaster.

Parents of EYFS children should follow the three stages of this Complaints Procedure. If parents remain dissatisfied and their complaint is about the School's fulfilment of the EYFS requirements, then parents may take their complaint to the ISI or Ofsted. Parents will be notified by ISI or Ofsted of the outcome of the investigation into their complaint within 28 days of the complaint being received.

Kimbolton School will provide ISI/Ofsted, on request, with a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint. The record of any such complaints will be kept in accordance with its Privacy Notice and Retention of Records Policy.

Parents may complain directly to Ofsted or to ISI if they believe the provider is not meeting the EYFS requirements. Schools must make available details of how to contact Ofsted and/or the ISI:

Ofsted can be contacted on 0300 123 1231 or by email: enquiries@ofsted.gov.uk
Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD
ISI can be contacted on 020 7600 0100 or by email: concerns@isi.net

ISI, CAP House, 9-12 Long Lane, London EC1A 9HA

Additional information about complaints can be found in Government Guidance Best Practice Advice for School Complaints Procedures 2020

RECORDING COMPLAINTS AND USE OF PERSONAL DATA

Following resolution of a complaint, the School will keep a written record of all formal complaints, whether they are resolved at the formal stage (Level 2) or proceed to a Panel hearing (Level 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 Level 3 process) may process a range of information, which is likely to include the following:

1. Date when the issue was raised
2. Name of parent
3. Name of pupil
4. Description of the issue
5. Records of all the investigations (if appropriate)
6. Witness statements (if appropriate)
7. Name and contact details of member(s) of staff handling the issue at each stage
8. Copies of all correspondence on the issue (including emails and records of phone conversations)
9. Notes/minutes of the hearing, and
10. 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, Data Protection Policy and Retention of Records Policy.

Other documents to refer to:

Best Practice Advice for School Complaints Procedures 2020

Notes on the Kimbolton School' Formal Complaints Procedure for Parents:

1. Although every attempt will be made to adhere to the time schedules included in this document it must not be construed that these schedules are in any way contractually or statutorily binding on the School.
2. In any cases where the nature of a complaint involves an allegation against a member of staff which could lead to disciplinary action being taken against that member of staff, any subsequent investigation of the allegation, and other aspects of the Parents' complaint, will be secondary to the Governors' published disciplinary procedures for staff. This may have implications for the schedule for resolving the Parent's complaint.
3. If the individual is no longer a student of the school, then the complaints policy may be invoked but only when dealing with issues which were raised with the relevant school when

the student attended the school or before notice of withdrawal was given. If the matter is regarding historic allegations of abuse then the above does not apply.

The relevant contact addresses and telephone numbers are:

Kimbolton School Number	01480 860505
School Bursar and Clerk to the Governors	01480 862222
Senior Deputy Headmaster	01480 862202
Ofsted	0300 1231231
ISI	020 7600 0100