



COMPLAINTS POLICY: DEALING WITH PARENTAL CONCERNS Whole School

This Policy applies to the Whole School, including EYFS and Boarding

1. Introduction

- 1.1 Kent College Pembury ("the school") welcomes suggestions and comments from parents and aims to deal properly with any concerns that parents may raise. If, as parents, there are concerns, we would much rather hear them as soon as possible. If in doubt, you should contact the school, as we are here to help. We aim to respond within a reasonable time and in a courteous and efficient way in accordance with this Policy.
- 1.2 The school makes its Complaints policy available to all parents of pupils and prospective pupils on the school's website and in the school office during the school day. The school will ensure that parents of pupils and of prospective pupils 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.
- 1.3 In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) regulations 2014, the school will also make available on request to Ofsted, the Department of Education (DfE) or the Independent Schools Inspectorate (ISI), details of this complaints policy and the number of complaints registered under the formal procedure during the preceding school year.
- 1.4 Although this policy is made available to parents of prospective pupils, it is not available for use by them, it may only be used by parents of current pupils.
- 1.5 The school will keep a written record of any complaints and their outcome. The school will investigate written complaints and notify complainants of the outcome of the investigation as soon as practicable.
- 1.6 It is hoped that most concerns will be resolved quickly and informally. It is normally best to start with the member of staff most closely connected with the issue. A list of staff with contact details is given at the end of this Policy.
- 1.7 References to written communication include e-mail but do not include any other form of electronic communication (social media, text messages, etc).

- 1.8 Parents means the holder(s) of parental responsibility for a current or prospective pupil. This procedure does not apply in respect of past pupils unless the complaint was initially raised whilst the pupil was still on the School roll.
- 1.9 Parents can be assured that all concerns and complaints will be treated seriously and confidentially.
- 1.10 The school will endeavour to respond within the timescales set out in this document, however it may not be possible to complete investigations during the school holidays, in which case responses will be delayed until term recommences. Parents will be notified of that fact.
- 1.11 For effective and fair resolution of concerns and to allow for the complaint to be investigated thoroughly, complaints must be brought to the School's attention promptly. We do not define "promptly" but would suggest that this should ordinarily be within three months of the relevant event(s) complained about.
- 1.12 The aim of the Policy is to produce a resolution that everyone involved can accept. The Policy should be used as a mechanism for resolving issues in good faith and in a courteous manner. It should not be used:
- Where the complaint relates to an exclusion (which will be dealt with under the School's Exclusions Policy).
 - In respect of child protection allegations (which will be dealt with in accordance with the School's Child Protection Policy).
 - Where the complaint is against the decision of an external agency or third party such as an examination board or higher education institution (in such cases, parents will be advised on the appropriate route for their complaint and, where possible, given information and advice about how to progress their complaint).
 - To delay or avoid payment of any sum (including fees or fees in lieu of notice) due under the School's parent contract agreed to by parents upon enrolment of their child at the School (the "Parent Contract").
 - By pupils to raise concerns (these should be raised by a pupil with their form tutor or Student Manager, and if a pupil is unhappy with the outcome, their parent(s) can raise a complaint under this Procedure).
 - In an abusive or threatening manner or in a way that is vexatious.
 - To re-open a complaint on a matter in respect of which the process set out in the Procedure has already been exhausted.
 - To make a complaint about services provided by other providers who may use the School's premises or facilities (parents should follow the external provider's own complaints procedure).
- 1.13 As this is an internal process, legal representation is not permitted to attend any meeting.
- 1.14 Electronic recording of meetings and interviews is prohibited.
- 1.15 The school will be mindful of its obligations under the Equality Act 2010 in the application of this policy.

2. What constitutes a complaint

- 2.1 A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the school as a whole, about a specific department or about an individual member of staff, and any matter about which a parent is unhappy and seeks action by the school is within the scope of this policy. 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.
- 2.2 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 section 109 of the Education and Skills Act 2008 requests access to them. There may also be other circumstances in which the school is required to share information relating to a concern or a complaint in order to comply with its legal or regulatory obligations.
- 2.3 The school is here for your child and you can be assured that your child will not be penalised for a complaint that you raise in good faith.

3. Stage 1 – Informal Resolution

- 2.1 It is hoped that most complaints and concerns will be resolved quickly and informally.
- 3.2 If parents have a concern or complaint, they should normally contact their child's form tutor (Senior School), class teacher (Prep School) or houseparent (boarders). In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the form tutor, class teacher or houseparent cannot resolve the matter alone, it may be necessary for him/her to refer the matter to a senior member of staff.
- 3.3 Complaints made directly to a senior member of staff including the Head will usually be referred to the relevant form tutor, class teacher or houseparent in the first instance, unless it is deemed appropriate for him/her to deal with the matter personally.
- 3.4 In many cases, the matter will be resolved straightaway to the parents' and school's satisfaction.
- 3.5 The person dealing with the matter must keep a written record of all concerns and complaints and the date(s) on which they were received. He/she must also inform a member of the Executive Team of the nature and outcome of the complaint, who will log it as a Stage 1 complaint.
- 3.6 Should the matter not be resolved within, usually 10 working days, or in the event that the relevant member of staff and the parent fail to reach a satisfactory

resolution, then parents will be advised to proceed with their complaint in accordance with Stage 2 of this Procedure.

- 3.7 If, however, the complaint is against the Head, parents should make their complaint directly to the Chair of Governors, whose contact details are included in this policy.

4. Stage 2 – Formal Resolution

- 4.1 If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Head, and request that the matter be considered further. The Head may require further information from the parents to help clarify the scope and nature of their concerns. The Head may in some circumstances deem it appropriate to nominate a staff member to hear the complaint and manage the Stage 2 complaint process. The Head (or their nominee) will decide, after considering the complaint the appropriate course of action.
- 4.2 In most cases, the Head (or their nominee) will meet/speak to the parents concerned, normally within 10 working days of receiving the complaint (or longer if during the school holidays) to discuss the matter. If possible, a resolution will be reached at this stage. It may be necessary for further investigations to be carried out. The Head, or their nominee, will determine who should carry out any investigation and this may be someone external to the school. wWritten records of all meetings and interviews held in relation to the complaint will be kept. Electronic recording of meeting and interviews is not permitted.
- 4.3 Once the Head (or their nominee) is satisfied that, so far as practicable, all the relevant facts have been established, a decision will be made, and parents will be informed of this decision in writing. The Head (or their nominee) will also give reasons for the decision. In most cases the Head (or their nominee) will make their decision and provide parents with the reasons within 20 working days of the complaint being put in writing (or following the provision of any further clarificatory information about the complaint to the Head, if so requested.
- 4.4 The school will keep a written record of the action taken by the school as a result of the complaint (regardless of whether the complaint is upheld or not).
- 4.5 If the complaint is against the Head, the complaint should be made to the Chair of Governors. The Chair of Governors will nominate someone to determine the complaint. The Stage 2 process described above will then be followed as if the references to the Head (or their nominee) is to the individual nominated by the Chair of Governors to determine the complaint against the Head.
- 4.6 If the parents are still not satisfied with the decision, then they should proceed to Stage 3 of this Procedure, within 20 working days.

5. Stage 3 – Panel (Appeal) Hearing

- 5.1 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 Appeals Committee, who has been appointed by the Governors to arrange all hearings of the School's Appeals Panel setting out the grounds of their appeal, within 20 working days of receiving the decision at Stage 2. Any supporting evidence which the parents wish to rely on should also be provided with their grounds for appeal.
- 5.2 To the extent the parents are unable to provide their complaint within the time period stipulated due to extenuating circumstances which have impeded the parents from taking action, the parents should request an extension in writing. Such a request should be made in advance of the original deadline, setting out the further time period requested and the reason for this. This will be considered.
- 5.3 In the event the parents are unable to provide their complaint within the time period stipulated (including to the extent applicable any extensions if agreed) the school reserves the right to conclude the complaint process and not progress the matter to Stage 3
- 5.4 The matter will then be referred to the Complaints 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. Kent College has nominated the Head of a MIST School to be the independent person who sits on the Appeal Panel. In the event that the Head is unable to be in attendance, the Bursar of a MIST School will take the place of the Head. The Complaints Panel will appoint one Panel member to act as Chair of the Panel. The convener on behalf of the Panel will then acknowledge the complaint within 5 working days and schedule a hearing to take place as soon as practicable and normally within 21 working days.
- 5.5 If the Panel deems it necessary, they 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 no later than 5 working days prior to the hearing.
- 5.6 The parents may attend the Panel Hearing and may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. The Stage 2 decision maker shall also be entitled to be accompanied to the hearing by one other person if they wish. Legal representation will not be appropriate and the companion should not be a lawyer. The identity of the companions should be confirmed to the Panel as soon as possible and by no later than 2 working days before the hearing. The Panel will decide whether it would be helpful for witnesses to attend.
- 5.7 A note-taker will attend the hearing to take a note. This will not be a verbatim note but an accurate reflection of what was discussed. Notes of the hearing will be shared with attendees as soon as practicable after the hearing. To the extent there is any disagreement about the content of those notes or further comments from the parties, these will be considered by and, where possible, resolved by the Chair. A copy of any comments on the notes will be appended to the notes

- 5.8 The remit of the Panel shall be at the discretion of the Chair of Governors and the manner in which the hearing is conducted shall be at the discretion of the Panel.
- 5.9 If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation.
- 5.10 Where further investigation is required; the Panel will decide how it should be carried out. The hearing may be adjourned to allow this to be done. The Panel will decide what steps should be taken and will determine a new date for the adjourned hearing.
- 5.11 After due consideration of all merits of the complaint and all the facts it considers 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;
 - Make recommendations.
- 5.12 The Panel will write to 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). 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 Governors and the Stage 2 decision maker. A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the school premises by the Chair of Governors and the Head.
- 5.13 The decision of the Panel will be final.

6. 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 policy.

7. Recording complaints and use of personal data

- 7.1 Following resolution of a complaint, the school will keep written records of all formal complaints, whether they are resolved at the informal Stage 1, the formal 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).
- 7.2 The school processes data in accordance with its Privacy Notice (see website). 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 issue was raised
- Name of parent
- Name of pupil
- Description of the issue
- Records of the investigation (if appropriate)
- Witness statements (if appropriate)
- Name and contact details of the 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
- The Panel's written decision.

7.3 This may include "special category personal data" as further detailed in the school's Privacy Policy and Data Protection Policy, but potentially for example information relating to physical or mental health where this is necessary owing to the nature of the complaint. The data will be processed in accordance with the school's Data Protection Policy. Records will be kept as required by regulation in accordance with the Privacy Policy.

7.4 Correspondence, statements and records relating to the individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the Education and Skills 2008 Act requests access to them, where disclosure is required in the course of the school's inspection; or where any other legal regulatory or safeguarding obligation prevails over the requirement to maintain the records as confidential.

8. Boarders

8.1 Pupils in the boarding community have a separate means of registering a complaint, which they should use instead of the complaint process described in this policy. Pupils wishing to make a complaint may use the Boarding House Complaints Procedure. This is available from House Staff in confidence, or from the boarders' handbook, a copy of which is kept in the house common room.

8.2 A separate record of complaints from Boarders' parents is kept centrally.

9. Early Years Foundation Stage (EYFS)

9.1 Parents of EYFS children should follow the three stages of the Complaints Policy. 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.

9.2 The 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 such complaints will be kept in accordance with the school's Privacy Notice and Retention of records policy.

9.3 Details of how to contact Ofsted and ISI are included at the end of this policy.

10. Record Keeping

- 10.1 All informal complaints must be referred to the Executive at the time of resolution. The Executive is responsible for monitoring the frequency and nature of informal complaints and taking appropriate action should underlying patterns emerge.
- 10.2 All complaints dealt with under the formal procedure set out at Stage 2, will be recorded by the Head in a Central Confidential Register of Complaints maintained by the Head. The register will include relevant details of the complaint including the date when the complaint was made, the date and the manner in which it was resolved, whether it proceeded to a panel hearing, the investigation/panel findings and recommendations, and the action taken by the school.
- 10.3 The confidential register will be available for inspection on the school premises by the Head and Chair of Governors and will be inspected periodically by the Chair of Governors.

11. At the Senior School:

Most issues are best aired first with your child's form tutor, Student Manager or Head of School. You may contact them through the main school office (Tel. 01892 822006) or via their e-mail:

Pastoral Lead (Years 7-11)
johnsonc@kentcollege.kent.sch.uk

Mrs C Johnson

Head of Sixth Form
Gillings@kentcollege.kent.sch.uk

Mrs Sally Gillings

Or, for boarders, your child's Houseparent:

Houseparent Ms J Silve
silvej@kentcollege.kent.sch.uk

- **Deputy Head (Academic)** Mr J Mossman
mossmanj@kentcollege.kent.sch.uk
(who could put you in touch with Heads of Department when appropriate)
- **Deputy Head (Pastoral)** Mrs L Payne
paynel@kentcollege.kent.sch.uk

- **for medical matters:**
School Nurse
cotterello@kentcollege.kent.sch.uk
Olivia Cotterell
- **for financial matters:**
Bursar
bursar@kentcollege.kent.sch.uk
Mrs A Jenkins

You can, of course, go directly to the Head especially if the matter is sensitive. You should also speak to the Head if you are not satisfied that your concerns have been fully or fairly considered after speaking to another member of staff.

Head@kentcollege.kent.sch.uk Miss K Handford

If you wish to contact the Chair of Governors directly this can be done by writing to Mr Jeremy Nicholds c/o the Clerk to the Governors at the school address, or alternatively by email

chairofgovernors@kentcollege.kent.sch.uk

12. At the Preparatory School:

Most concerns are best discussed first with your child's class teacher.

If you have any queries about the Foundation Stage curriculum, then please contact:

Head of EYS/KS1 Mrs R Cole
coler@kentcollege.kent.sch.uk

If you have a query about reporting and assessment, teaching and learning and any pastoral concern that cannot be resolved by discussion with your child's class teacher then please direct your concerns to either/or:

Assistant Head of KS2 Mr J Sullivan
sullivanj@kentcollege.kent.sch.uk

Head of Prep School Mrs S Hall
halls@kentcollege.kent.sch.uk

If you feel it is not appropriate to discuss your concern with any of the above staff then you should contact Miss Katrina Handford, Head. Telephone 01892 822006 or email Head@kentcollege.kent.sch.uk

If you wish to contact the Chair of Governors directly this can be done by writing to Mr Jeremy Nicholds c/o the Clerk to the Governors at the school address, or alternatively by email chairofgovernors@kentcollege.kent.sch.uk

13. Complaints made directly to MIST

13.1 Except in exceptional circumstances all parental (and other complaints) will be dealt with by the school following the procedures outlined above. The decision of the school's Complaints/Appeals Panel will be final.

13.2 Exceptional circumstances would include:

- A complainant can show that a MIST school has not followed the agreed and reasonable procedures; or
- Where it has been agreed between the school and the complainant that mediation from MIST could be helpful in resolving the complaint; or where
- A potential claim may have a material impact on MIST as well as the School.

13.3 In the first instance, parents (or others) who consider they have reason to take their complaint directly to MIST should do so by contacting the CEO of MIST.

14. Complaints made directly to the Church

14.1 The Methodist Conference has delegated responsibility for the oversight of its schools to the Methodist Independent Schools Trust (MIST). Thus, any person making a complaint about the schools, or the Trust must be referred by the Church to MIST. Any letter of complaint with any accompanying documentation must be forwarded to the CEO of MIST, or if the complaint is about the CEO, to the Chair of MIST. The CEO and/or the Chair of MIST will put in hand the agreed procedures of the Trust to investigate the complaint and to respond to it. The outcome of the process will be reported to the Trustees and the Secretary of Conference.

If you are unhappy with any aspect of how your complaint has been dealt with, you can refer the matter to:

ISI (Independent Schools Inspectorate), Ground Floor, CAP House, 9-12 Long Lane, London EC1A 9HA. Telephone: 020 7600 0100 or by email: concerns@isi.net
www.isi.net

For matters relating to for Early Years Foundation Stage:
Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD; general helpline 0300 123 1231 or by email: enquiries@ofsted.gov.uk

Reviewed Nov 2008 in line with Farrer & Co's guidance
Amended and agreed by SLT: May 2015
Approved by Governors: November 2015
Contacts amended: August 2016
Updated September 2017 in line with MIST guidance
Approved by Governors: November 2017
Updated September 2018 in line with MIST guidance
Approved by Governors September 2018
Updated March 2019
Approved by Governors: March 2019
Approved by Governors: September 2019
Approved by Governors: September 2020
Approved by Governors: September 2021
Approved by Governors: September 2022
Approved by Governors: September 2023
Approved by Governors: September 2024
Approved by Governors: September 2025
Reviewed annually

The number of complaints for the last academic year is available on request from the Head's PA,
Mrs A Cyster (cystera@kentcollege.kent.sch.uk)