St Andrew's School, Turi

Complaints Policy & Procedure

Compiled by:	**Executive Director**
Approved by:	**Board of Governors**
Date of review:	**March 2025**
Date of next review:	**March 2026**

1. Procedure Statement

The School is committed to providing high quality teaching and pastoral care for students. However, if parents or students do have a complaint, they can expect it to be treated seriously by the School.

Staff are responsible for reading and understanding the Complaints Procedure.

Scope

The procedure applies to any person who wishes to make a complaint against the School, with the exception of complaints by staff.

A complaint made by a member of staff against the School is dealt with through the Grievance Procedure.

Definition

A complaint is defined as any matter about which someone within the scope of this procedure has a cause for concern.

Terminology

In this procedure, **'School'** refers to both the Senior (including the sixth form college) and Preparatory Schools either separately or jointly; **'Board'** refers to the Board of Governors**; 'Director'** refers to the School Director or the most senior Executive; **'Head'** refers to both the Head of Senior School and the Head of the Preparatory School; **'Appropriate Person'** refers to any member of staff with a position of responsibility to whom a complaint is made; **'Senior Member of Staff'** refers to any member of staff nominated by the Director, Head or Finance and Strategy Director (in that order); '**Staff**' refers to all those working for or on behalf of the School (including staff working on behalf of third party contractors), full or part-time, permanent or temporary, in either paid or voluntary capacities; **'Complainant**' refers to a person who lodges a complaint.

Regulatory framework

This procedure meets the Independent School Inspectorate (ISI) standards in the ISI Handbook for the Inspection of Schools, The Regulatory Requirements.

Review

This procedure will be subject to an annual review by the Director (or in their absence by the Heads, who shall make recommendations for the Board's consideration.

2. Roles and responsibilities

Chair of Governors

The Chair of Governors is responsible for the receipt of an Appeal and the appointment of the ensuing Complaints Panel 'the Panel'.

Clerk to the Governors

The Clerk to the Governors is responsible for ensuring that any appeal is passed to the Chair of Governors in a timely fashion and that the appeals process is followed correctly.

Heads and Finance & Strategy Director

The Heads and Finance Director are responsible for ensuring that all staff have read and understood the Complaints Procedure.

Senior Member of Staff

A Senior Member of Staff (SMoS) is responsible for ensuring that Stages 1 & 2 of the procedure are followed.

Appropriate Person

The Appropriate Person (AP) is responsible for ensuring that Stage 1 of the procedure is followed.

3. Principles

Every complaint is a matter of concern to the School and will be investigated with due urgency and thoroughness.

The AP or SMoS will:

- Seek resolution of problems by informal means wherever possible;
- Be impartial and non-adversarial;
- Enable swift handling and clear and timely communication;

Correspondence, statements and records relating to individual complaints will be kept confidential except to the extent where disclosure is required by another legal authority.

4. Procedure

Complaints should be made as soon as possible after the events or actions (or lack of actions) which have prompted the complaint. The School shall address the said complaints in the manner and time frame provided hereafter.

However, complaints received by the School less than 7 working days before the school breaks for either half term or school holidays (other than summer holidays) shall be addressed once the school re-opens in the time frame provided below save for complaints raised of an extremely severe nature which severity shall be as determined by the Director at his sole discretion.

Complaints received by the School less than 3 weeks before the summer holiday shall be addressed once the school re-opens in the time frame provided below save for complaints raised of an extremely severe nature which severity shall be as determined by the Director at his sole discretion.

a) Stage 1

Stage 1 is to seek informal resolution:

- Most complaints and concerns will be resolved quickly and informally.
- A complainant should contact the AP. In most cases, the matter will be resolved straightaway to the complainant's satisfaction. If it cannot be resolved, it should be referred to a SMoS.
- The AP will make a written record of all complaints and the date on which they were received.
- Complaints made directly to a SMoS will be referred to the relevant AP unless the SMoS deems it appropriate for it to be dealt with personally.
- Should the matter not be resolved within 14 working days or in the event that the AP and the complainant fail to reach a satisfactory resolution, then the complainant will be advised to proceed to Stage 2 below.

b) Stage 2

Stage 2 is to seek formal resolution:

- If the complaint cannot be resolved informally or is of a sufficiently serious nature, the complainant should put their complaint in writing to the SMoS. The SMoS will decide the appropriate course of action to take.
- The SMoS will normally meet with the complainant within 7 working days of receiving the complaint. If possible, a resolution will be reached at this stage.
- It may be necessary for the SMoS to carry out further investigations.
- The SMoS will keep written records of all meetings and interviews.
- Once the SMoS is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and the complainant will be informed of this decision in writing. The SMoS will also give reasons for his/her decision. This will normally be within 14 working days of having received the Stage 2 complaint.
- If the complainant is still not satisfied, they will be advised to proceed to Stage 3 below.

c) Stage 3

Stage 3 is an appeal to a Complaints Panel (the Panel):

- In the event of an appeal to the Panel, the complainant should send written notice of their complaint to the Chair to the Governors, via the Clerk of Governors and within 7 working days of having received the decision in Stage 2.
- In the written notice, the complainant should give reasonable particulars of the complaint and should specify the outcome being sought.
- The Panel will be appointed by the Chair of Governors and consist of a minimum of three and a maximum of four persons who have not been directly involved in the matters detailed in the complaint. A majority of the Panel shall be board members and one of whom, in the view of the Chair of Governors, will be independent of the School.
- The Chair of Governors shall appoint one of the above persons to be Chair of the Panel.
- It shall be for the Panel to decide whether a complaint, which has been received after 7 working days, should be considered.
- The Chair of the Panel will acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 28 working days of receipt of the complaint
- In the case of a complaint relating to a student's suspension or exclusion, the Head shall have

complete discretion to suspend or exclude a student pending the outcome of the appeal

- At least 7 working days before the hearing, the SMoS shall submit to the Panel a written statement setting out their response in relation to the complaint and shall attach any supporting evidence and transcripts of interviews (if any). The Chair of the Panel shall give a copy of the SMoS's statement to the complainant without the transcripts of interviews or any information the Panel deem to be confidential or sensitive.
- The Panel shall request a meeting with the SMoS or other relevant person for any clarification of the above written statement and evidences. This meeting may be waived by mutual agreement between the Panel and the SMoS or other relevant person. A summary of any such meeting shall be given to the complainant.
- If the Panel deems it necessary, it may require that any further particulars be supplied in advance of the hearing. Copies of such particulars shall be supplied to the complainant not later than 3 working days prior to the hearing subject to the above restrictions regarding confidentiality and sensitivity.
- The Panel may also conduct such additional interviews before the hearing as it sees fit. In such circumstances, a summary of the interviews will be given to the complainant and to the relevant Head and SMoS at least 3 working days before the hearing.
- At least 3 working days prior to the hearing the complainant will submit to the Chair of the Panel copies of all documentation they intend to rely upon.
- The Panel may, at its discretion, seek further clarifications from anyone associated with the appeal or alleged offence. The Panel may also seek such legal advice, at the School's cost, as they deem necessary. The Panel may at its discretion delay the hearing of a maximum of 10 working days to deal with any matters arising from the receipt of the above documentation.
- There may be exceptional circumstances at the discretion of the Panel, where it would be more suitable to hold the hearing outside the School. The Panel may conduct the hearing or any other relevant meetings, virtually.
- The complainant may be accompanied at the hearing by one other person of their choice. Legal representation will not normally be appropriate but may be allowed at the discretion of the Panel. In this event, the legal representative shall be allowed to attend solely as an observer and shall not be permitted to contribute to the discussions.
- If possible, the Panel will resolve the complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.
- Any person under the age of 18, or any student at the School, will not normally be permitted to attend the hearing.
- If the Chair of the Panel believes that the Panel should hear evidence in private, s/he may so decide. In such circumstances, the complainant will be given reasons for that decision. The complainant will be given a summary of the evidence
- After due consideration, the Panel shall reach a decision, by majority and shall make a ruling on behalf of the School on any or all aspects of the complaint. In the case of the Panel consisting of 4 members not reaching a majority, the Chair of the Panel shall have the deciding vote.
- The Panel shall, in reaching a decision, be mindful of all relevant school codes, policies, procedure and protocols (especially with respect to safeguarding), laws of Kenya, legal precedents and the principles of natural justice.
- The Panel should consider how the complaint may affect all relevant stakeholders including (and in no particular order): students (both offenders and non-offenders), staff, the Board, the parent body and the wider community where the school's reputation may be of consequence.
- Within 10 working days of the hearing, the Chair of the Panel will send the complainant, the relevant Head and the SMoS a summary of the Panel's findings and where appropriate recommendations. Copies will also be forwarded to the Chair of Governors and where relevant,

the person complained about as appropriate. A copy of the decision and any recommendations will also be made available for inspection at the School premises by the Director and the Head.

- The decision of the Panel is final. Any recommendations of the Panel, shall be considered by the Board or the Heads, as appropriate.

5. Managing and recording complaints

A written record will be kept of all complaints for at least three years for regular review by a SMoS (whether they are resolved at the preliminary stages or proceed to a Panel hearing) and action taken by the School as a result of those complaints (regardless of whether they are upheld or not); to help identify whether review or change in practice is needed and so that patterns can be identified and appropriate interventions made.

A report about complaints is made to the Board of Governors annually by the Clerk to the Governors.

Number of Formal Complaints received, filed and concluded in the 2024-2025 academic year	**0**