



DULWICH PREP LONDON
Values & Academic Excellence since 1885

COMPLAINTS POLICY AND PROCEDURE

This is a whole school policy which applies to all sections of the School, including Early Years.



Person responsible for this policy:

Head Master

Date of last policy review:

February 2023

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COMPLAINTS POLICY AND PROCEDURE

I. INTRODUCTION

This policy is applicable to the parents of all current registered pupils, including those in the Early Years Foundation Stage (**EYFS**). “Parent(s)” means the holder(s) of parental responsibility for a current pupil about whom the complaint relates.

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. It may also be used by parents of pupils who are flexi-boarding to raise complaints about the boarding provision.

Complaints by parents of former pupils will be dealt with under this Complaints Procedure only if the complaint was initially raised when the pupil to which the complaint relates was still registered as a pupil at the School. The only exception to this is if the complaint is a review of a decision taken by the Head Master to exclude or require the removal of a pupil under clause 7 of the School’s Contract for Educational Services in which case such a review must be requested by no later than 5 working days from the date of the decision to exclude or require the removal of a pupil (see paragraph 3C below for further information regarding exclusion or required removal).

This policy is available on the school website and upon request from the Head Master’s PA.

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 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.

The School has long prided itself on the quality of the teaching and pastoral care provided to its pupils. Nevertheless, the School believes that regular feedback is an important aspect of school improvement and raising standards. Pupils, parents and staff are encouraged to share their views and opinions. Feedback will be actively sought from pupils (through the School Council and weekly pupil surveys) and parents (through informal and formal meetings and with the Parent Panel) in order to maintain good practice, be reflective and maximise accountability.

A complaint is any matter about which a parent at the School is unhappy and seeks action by the School. 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 raises in good faith.

Complaints must be raised as soon as reasonably practicable, and in any event within 3 months from the date of the relevant issue. Any complaints raised after this date will only be considered if there are exceptional circumstances which had, in the opinion of the School, impeded the parent from taking action.

The School processes data in accordance with its Privacy Notice (available on the School's 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 the issue was raised;
- Name of parent;
- Name of pupil;
- Description of the issue;
- Records of the investigations (if appropriate);
- Witness statements (if appropriate);
- Name and contact details of member(s) of staff / governors handling the issue at each stage;
- Copies of all correspondence on the issue (including emails and records of phone conversations);
- Notes and minutes of a hearing; and
- The Panel's written decision.

This may include 'special category personal data' (as further detailed in the School's Privacy Notice and Data Protection Policy, 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 complaints records as required by law and regulation. It will do so in accordance with its Privacy Notice and Data Protection Policy. Following resolution of a complaint, the School will keep a written record of all formal complaints, and whether they are resolved at the formal stage (Stage 2) or proceed to a panel hearing (Stage 3). A written record is also kept of any actions taken by the School as a result of the complaints, regardless of whether the complaint is upheld.

Correspondence, statements and records relating to individual complaints are kept strictly confidential except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the Education and Skills Act 2008 requests access to them. In addition, there may be other circumstances where disclosure of the substance of a complaint or particular confidential records relating to it is required, for example, where there is a legal, regulatory, safeguarding or data protection obligation (eg, in response to a subject access request) which prevails over the requirement to maintain the records as confidential.

The record of complaint is kept for at least 7 years and may be kept for longer if there is a safeguarding aspect to the complaint.

The number of complaints registered under the formal procedure during the preceding school year is available on request from the Clerk to the Governors. The School is not able to disclose the nature of, or details around, any complaints.

2. COMPLAINTS RELATING TO THE EYFS REQUIREMENTS

The Statutory Framework for the EYFS sets the standards for promoting the learning, development and safety of children from birth to five years. In order to comply with the EYFS Statutory Framework, written concerns or complaints relating to the fulfilment of the EYFS requirements will be dealt with in accordance with the following process:

- The written concern/complaint will be acknowledged within 5 working days.
- The Head Master will either review the complaint herself or allocate an appropriate member of staff to do so instead. The Head Master or nominated colleague will investigate the concern or complaint which may include meeting with the parent(s) and the Head of Early Years. A written response notifying the parent(s) of the outcome of the investigation will be sent within 28 days of the complaint being received.
- Where the parent(s) remains dissatisfied, the parent(s) can request a complaints panel in accordance with Stage 3 of this policy. The parent(s) must set out their request for a panel hearing within 7 working days of the outcome of the investigation referred to above being notified to them. If no request is made within this timeframe, the School will consider the complaint resolved.

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 any such complaints (and their outcome) will be kept in accordance with its Privacy Notice. Parents may complain directly to Ofsted or to ISI if they believe the provider is not meeting the EYFS requirements. The contact details are as follows:

Ofsted: Piccadilly Gate, Store Street, Manchester M1 2WD
(telephone: 0300 123 1231, email: enquiries@ofsted.gov.uk)

ISI: CAP House, 9-12 Long Lane, London EC1A 9HA
(telephone: 020 7600 0100, email: concerns@isi.net)

3. ALL OTHER COMPLAINTS RELATED TO SCHOOL

A. Timeframe for Dealing with Complaints

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

Please note that for the purposes of this procedure, working days refers to weekdays (Monday to Friday) during term time, excluding bank holidays and INSET 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 any 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.

B. Outline of Procedure to be Followed

i. Stage 1 – Informal Resolution

- (a) It is hoped that most complaints and concerns will be resolved quickly and informally. All complaints will normally be dealt with in the first instance by the member of staff listed in the table below:

Area of responsibility	Member of staff to contact
Nursery and Reception	Head of Early Years
Years 1 and 2	Head of Pre-Prep
Years 3 and 4	Head of Lower School
Years 5 and 6	Head of Middle School
Years 7 and 8	Head of Upper School
Safeguarding and Child Protection issues	Designated Safeguarding Lead
Special Educational Needs and Disability	SENDCo
Catering, Facilities, Grounds, Health & Safety, Fire Procedures, Critical Incident, Support Staff	Bursar

- (b) Please note that it is always possible for a complaint to be made and considered initially on an informal basis. If in any doubt over whom to contact, or if the complaint is against the named individual above, then please speak to the Head Master. The Head Master will either review the complaint themselves or allocate an appropriate member of staff to do so instead. If the complaint is against the Head Master, please speak to the Clerk to the Governors who will notify the Chair of Governors. The Chair of Governors will either review the complaint themselves or allocate a Governor to do so instead.
- (c) The individual reviewing the complaint will make a written record of any concerns and complaints and the date on which they were received. If a complaint cannot be resolved

informally within 10 working days of receipt of the complaint, or if the individual reviewing the complaint and the parent fail to reach a satisfactory resolution, then the parents should proceed with their complaint in accordance with Stage 2 of this Complaints Procedure.

ii. Stage 2 - Formal Resolution

- (a) If the complaint cannot be resolved on an informal basis then the parents should put their complaint in writing to the Head Master. Parents should include the following: (i) full details of the specific concern; (ii) name of the child to which the concern relates; (iii) the length of time the concern has been an issue, including any relevant dates; and (iv) the steps taken to discuss / resolve the concern with the School. The Head Master will decide, after considering the complaint, the appropriate course of action to take. The Head Master will either review the complaint herself or allocate an appropriate member of staff to do so instead. If the complaint relates to the Head Master, please refer to paragraph 3(B)(ii)(e) below.
- (b) The Head Master or nominated colleague will acknowledge the complaint in writing within 7 working days of receipt. In most cases, the Head Master or nominated colleague will meet or speak to the parents concerned, within 10 working days of receiving the Stage 2 complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
- (c) It may be necessary for the Head Master or nominated colleague to carry out further investigations.
- (d) Once the Head Master or nominated colleague is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and the parents will be informed of this decision in writing. The Head Master or nominated colleague will also give reasons for his/her decision. Wherever reasonably practicable, the Head Master or nominated colleague will make his/her decision and provide the parents with reasons within 15 working days of receipt of the Stage 2 complaint.
- (e) If the complaint relates to the Head Master, the complaint should be made to the Clerk to the Governors who will notify the Chair of Governors, and acknowledge it within 7 working days of receipt. The Chair of Governors will appoint a Governor to investigate the complaint. For the avoidance of doubt, the Governor appointed by the Chair of Governors will be different from any individual who reviewed the complaint during Stage 1. The Governor appointed by the Chair of Governors will call for a full report from the Head Master and for copies of the relevant documents. The assigned Governor 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 relevant Governor 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 Governor will give reasons for his/her decision. Wherever

reasonably practicable, the Governor will provide this decision within 15 working days of receipt of the Stage 2 complaint.

- (f) If the parents are not satisfied with the decision, they should proceed to Stage 3 of this procedure, which is to have the complaint heard before a panel appointed by the Chair of Governors. As reiterated below, **parents must set out their request for a panel hearing within 7 working days of notification of the Stage 2 decision**. If no request is made within this timeframe, the School will consider the complaint resolved. This paragraph (f) does not apply to complaints about suspension or exclusion as further described in paragraph 3(C) below.

iii. **Stage 3 – Panel Hearing**

- (a) If the parents are not satisfied with the response to the complaint as dealt with at Stage 2, and seek to invoke Stage 3, they should do so in writing to the Clerk to the Governors (at the school address) as soon as possible and in any event within 7 working days of the decision at Stage 2 being notified to them. In this email / letter, the parents should set out their request for a panel hearing, their grounds of appeal, the outcome they are seeking and any supporting evidence which the parents wish to rely on. If the parents are unable to invoke Stage 3 within the time period stipulated above due to extenuating circumstances which have impeded them from taking action, the parents should request an extension in writing. Such a request should be made to the Clerk to the Governors in advance of the original deadline, setting out the further time period requested and the reason for this. Any such request will be considered by the School.
- (b) The Clerk will notify the Chairman of Governors within 7 working days of receipt of the Stage 3 letter of complaint.
- (c) The Chairman of Governors will appoint a panel that will consider the complaint within 21 working days of the Chairman being notified by the Clerk. This panel will always consist of at least three people who were not directly involved in the matters detailed in the complaint, including one person who is independent of the management and running of the school. The complaints panel will appoint one panel member to act as the Chair of the panel. The panel hearing may take place remotely if required by the School.
- (d) The Clerk to the Governors will collate a panel pack of documents relevant to the complaint, to include those documents submitted by parents and any submitted by the School, and will circulate to all parties at least 5 working days prior to the hearing. These may need to be redacted for data protection reasons, for instance where there is third party data, and there may be instances, such as where there are safeguarding concerns, where documents may be shared confidentially with the panel only. 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 (or 3 working days if requested after receipt of the full pack of documents).

- (e) The parents may attend and, subject to paragraph (f) below, may be accompanied at the panel hearing by one other person if they wish. This may be a relative, teacher or friend. The parents should notify the Clerk to the Governors at least 3 working days in advance of the hearing of the name and occupation of an accompanying person (if relevant). If the panel hearing is taking place remotely, it will also be necessary to provide relevant contact details in order to enable them to attend. If the Head Master, or a nominee of School, attends the panel hearing, they shall also be entitled to be accompanied by one other person.
- (f) Neither the School nor the parents will be legally represented. The meeting is not a court case, it will be held in private, and will be as informal as circumstances allow. The panel is a non-legal forum: panel members are not legally trained and therefore cannot make findings as to points of law. The panel forms the final stage of the School's internal Complaints Procedure.
- (g) The manner in which the hearing is conducted shall be at the discretion of the panel. Unless the Chair of the panel has received a written request in advance of the hearing for it to be recorded, and has provided his/her express written permission to do so, any recording of the hearing is prohibited. The panel may ask for a note taker (e.g. a member of the School's administrative team) to be present during the hearing to take notes of the proceedings. Any such notes are not intended to be a verbatim transcript, and are simply for the benefit of the panel, so that they can focus on listening to the parents' concerns. All present at the hearing will be also entitled, should they wish, to write their own notes for reference purposes.
- (h) 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, and may undertake any such further investigation, and ask for any such further information as it considers necessary, in order to be able to reach a finding in respect of the complaint.
- (i) After due consideration of all facts they consider relevant, the panel will make findings 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.
- (j) The panel will write to the parents informing them of its decision on the complaint and the reasons for it, normally within 14 working days after the panel 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.

- (k) A copy of the panel's findings and recommendations (if any) will be sent by electronic mail or otherwise given to the parents, the Chair of the Governors, the Head Master and, where thought relevant by the Chair of the Governors and the Head Master, the person complained about. The panel's findings and recommendations will be private and confidential and may not be shared with third parties.
- (l) If a parent attempts to reopen an issue or a closely related issue that has already been dealt with under this Complaints Procedure, the Head Master or Chairman of Governors may write to the parent to inform him/her that the procedure has been exhausted and the matter closed, that continued correspondence on the same matter is vexatious and that the School will not respond to any further correspondence on this issue or a closely related issue.

C. Suspension and Exclusion appeals

Any complaint of a decision taken by the Head Master to suspend, exclude or require the removal of the pupil under clause 7 of the School's Terms and Conditions (Parent Contract) will be governed by Stage 2 of the School's Complaints Procedure. As further described in paragraph 3(B)(ii)(e) above, a Governor will be appointed to consider the decision taken by the Head Master. The decision under Stage 2 will be final, and there will be no further right of appeal under Stage 3 of this procedure.