



DULWICH COLLEGE - PARENT COMPLAINTS PROCEDURE (INCLUDING DUCKS)

Introduction

The College has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents do have a complaint, they can expect it to be treated by the College in accordance with this procedure.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially.

What constitutes a complaint

A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the College as a whole, about a specific department or about an individual member of staff.

Any matter relating to the College as a school about which a parent (in their capacity as a parent of a pupil at the College or DUCKS) is unhappy and seeks action by the College is within the scope of this procedure. This procedure does not apply to complaints by parents in other capacities (e.g. employees, volunteers or local residents).

Who can use this procedure

This procedure applies to:

- complaints by current parents (i.e. parents who have a child who is registered as a pupil at the College or DUCKS when they notify their complaint to the College); and
- complaints made by the parents of a former pupil provided the complaint was notified in writing to the College: (a) whilst the relevant pupil was still registered as a pupil at the College or DUCKS, or (b) in the case of a complaint about a decision to permanently exclude a pupil, within five working days after the date of the decision to exclude.

This procedure does not apply to parents of prospective pupils (including those who have accepted a place at the College in respect of their child but where that child has not yet started at the College).

There is no formal procedure governing the making of a complaint to the College by any person: (a) who is not a parent; or (b) who is a prospective parent. Any non-parent or prospective parent who wishes to make a complaint should do so by putting it in writing to the Master, who will consider how best to respond.

Timing for notifying complaints

Parents should notify the College of any complaint as soon as practicable. Complaints notified to the College more than three months after the relevant event(s) (or where there is a series of associated events the last to

occur) may not be considered: (a) unless there were exceptional circumstances preventing the parents from notifying the complaint sooner; and (b) provided the College considers that the delay has not prejudiced an effective and fair resolution.

General Points

Parents are asked to note that:

- Parents should not approach individual Governors to raise concerns or complaints. Governors have no power to act on an individual basis and it may prevent them from considering complaints if escalated to Stage 3 of the procedure.
- If a complaint involves an allegation against a staff member or another pupil, parents will not be entitled to details of any sanctions imposed on the staff member or pupil.
- Where a complaint involves questioning the judgment of a member of the College's staff, the role of any person considering that complaint will be to determine whether that individual's judgment was exercised fairly and reasonably and according to the College's policies and procedures. There may be more than one fair and reasonable response to a situation and a decision-maker at any stage will not normally substitute their decision for the decision of the staff member concerned.
- Requests for financial awards, such as claims for compensation, damages or fee refunds, are beyond the scope of this procedure.
- This procedure does not apply to anonymous complaints. The College will not normally investigate anonymous complaints. However, the College will determine whether the complaint warrants an investigation.
- If multiple complaints are received from parents within the College about the same subject, the College may decide to send a uniform response to all complaints or to publish a single response on the College's website.
- If parents make repeated attempts to raise the same complaint(s) after they have been considered by a Stage 3 Panel Hearing in accordance with Part B of this procedure, the complaint(s) will then be regarded as vexatious and outside the scope of this procedure.
- For the purposes of this procedure:
 - (i) "working day" means a full school day which is not a Saturday, a Sunday or a bank holiday in England nor a day falling within College holidays (including, for the avoidance of doubt, any half-days and half-term). This means that during school holidays it may take longer to resolve a complaint although the College will do what is reasonably practicable to avoid undue delay.
 - (ii) "parent(s)" means the holder(s) of parental responsibility for a current pupil about whom the complaint relates.

- Documents and information that this procedure requires the complainant to provide the College or vice-versa may be provided by email and (if so provided) shall be deemed to have been provided at the time the relevant email was transmitted.

Time periods specified in Parts A and B

The timeframes set out in Parts A and B of this procedure may have to be extended on occasion. For example, it may take longer than normal to deal with a complaint where statutory agencies are involved (a local authority or the police), during periods of significant disruption to College life, or as a consequence of staff absences. Should the matter progress to an appeal, the availability of the panel members may also be a constraint. Any deviation will, however, be on an exceptional basis, and parents will be advised should timeframe revisions be necessary.

Complaints by EYFS Parents

Parents of children in the EYFS (Early Years Foundation Stage) should follow the three stages of this procedure. If parents remain dissatisfied and their complaint is about the DUCKS' fulfilment of the EYFS requirements, then parents may take their complaint to the Independent Schools Inspectorate and/or OFSTED:

- Independent Schools Inspectorate, CAP House, 9-12 Long Lane, London EC1A 9HA (telephone 020 7600 0100) or by email: concerns@isi.net.
- OFSTED, Piccadilly Gate, Store Street, Manchester M1 2WD (telephone 0300 123 1231) or by email: enquiries@ofsted.gov.uk.

The College must investigate a written complaint relating to its fulfilment of the EYFS requirements and notify complainants of the outcome of the investigation **within 28 (calendar) days** of having received the complaint. The time limits specified in Part B of the Procedure (below) shall be adapted by the College in relation to such a complaint in order to comply with this requirement.

Complaints by Boarders' Parents

Parents of boarders should follow the three stages of this procedure. Boarders' parents may contact the Independent Schools Inspectorate (whose contact details are stated above) and/or Southwark's Local Authority Designated Officer if they have any complaint regarding a boarder's welfare.

Southwark's contact details are: The Local Authority Designated Officer, Quality Assurance Service, London Board of Southwark, PO Box 64529, London SE1P 5LX 020 7525 3297.

Documentation and Record-keeping

A copy of this procedure can be found on the College's website and is available to parents, pupils and staff. The College will ensure that parents of pupils and of prospective pupils who request it are made aware that this document (and of the number of complaints registered under the formal procedure during the preceding academic year) is published or available and the form in which it is published or available. The College's record

of complaints identifies those complaints relating to boarding provision, includes a record of complaints made but later withdrawn, and the College keeps under review any emerging patterns arising from complaints.

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 College is required to share information relating to a concern or a complaint in order to comply with its legal or regulatory obligations.

The College maintains a record of all parent complaints for at least 7 years for regular review by senior management and for inspection by inspectors. The record states whether the complaint was resolved at the preliminary stages or proceeded to a panel hearing and will state the action taken as a result of the complaint (regardless of whether the complaint was upheld).

The College will provide ISI, DfE or OFSTED, on request, details of this procedure and number of complaints registered under the formal procedure made during any specified period, and the action taken as a result of each complaint.

PART A - INFORMAL RESOLUTION

It is hoped that most complaints and concerns will be resolved quickly (within 14 days) and informally.

If a parent of any pupil has a complaint they ("the complainant") should contact one of the following in the first instance:

- The pupil's form tutor (or in the case of a child in EYFS their class teacher/key person),
- the pupil's head of year,
- the pupil's head of school (i.e. the Head of DUCKS, the Junior, Lower, Middle or Upper School), or
- (where appropriate in the case of boarders) the pupil's boarding housemaster.

The form tutor, head of year, head of school or boarding housemaster (as applicable) will make a written record of all concerns and complaints and the date on which they were received. If the matter is not resolved to the complainant's satisfaction, they will be advised to proceed with their complaint in accordance with Part B of this procedure.

PART B – FORMAL RESOLUTION Stage 1 A letter to the Master

- (a) If the matter is not resolved to the complainant's satisfaction by the informal process, the complainant may invoke the formal part of this Complaints Procedure. They should do this by writing to the Master giving details of their complaint and the outcome they are seeking.
- (b) The Master will then either take the case forward himself or appoint a senior colleague who has had no prior involvement in the matter to do so.
- (c) The Master or (where applicable) the senior colleague appointed by the Master will generally offer to meet with the complainant to discuss the matter, normally within **7 working days**. If a later date is required because relevant individuals are away, this would be discussed with the complainant. If the Master or (where applicable) the senior colleague shall so decide, the meeting may take place at a location outside the College or may take place electronically by video or conference call.
- (d) If any investigations are required after that meeting, the College will give the complainant an estimate of the time that is likely to be involved, normally not more than **7 working days**. If more time is required because relevant individuals are away, this would be discussed with the complainant.
- (e) A record will be kept of all material meetings and interviews held in relation to the complaint.
- (f) The College will notify the complainant of the Stage 1 decision within **7 working days** after the later of:

- (if applicable) the meeting mentioned at paragraph (c) above; and
- completion of any investigation carried out pursuant to paragraph (d) above.

(g) Written reasons for the Stage 1 decision will be given.

(h) If the complaint is about the Master, then it should be directed to the Chair of Governors who will appoint another Governor to oversee the procedure.

Note: If the Master handles the matter at Stage 1 (rather than appointing a senior colleague to do so) and the complainant is not satisfied with the Master's decision in respect of their complaint, the complainant should then go straight to Stage 3 of this procedure.

Stage 2 Appeal to the Master

(a) If the Master appoints a senior colleague to investigate the complaint at Stage 1 and the complainant is not satisfied with that person's decision in respect of their complaint, the complainant should appeal to the Master in writing within **7 working days** after receiving the decision.

(b) The Master will generally offer, in most cases, to meet with the complainant to discuss the matter, normally within **7 working days**. If a later date is required because relevant individuals are away, this would be discussed with the complainant. If the Master shall so decide, the meeting may take place at a location outside the College or may take place electronically by video or conference call.

(c) If any investigations are required after that meeting, the College will give the complainant an estimate of the time that is likely to be required, normally not more than **7 working days**. If more time is required because relevant individuals are away, this would be discussed with the complainant.

(d) The College will notify the complainant of the Stage 2 decision within **7 working days** after the later of:

- (if applicable) the meeting mentioned at paragraph (b) above; and
- completion of any investigation carried out pursuant to paragraph (c) above.

(e) A record will be kept of all material meetings and interviews held in relation to the complaint.

(f) Written reasons for the Stage 2 decision will be given.

Stage 3 Appeal to the Complaints Panel

(a) If the complainant is not satisfied with the Master's decision, within **7 working days** after receiving the Master's decision the complainant should send to the Clerk to the Governors:

- Written notice of their complaint; and
- copies of all documentation on which they intend to rely at the hearing.

(b) The complainant's notice of complaint should:

- give reasonable particulars of their complaint; and
 - specify the outcome they are seeking.
- (c) The matter will then be referred to a Complaints Panel for consideration. The Panel hearing will be a full merits hearing of the complaint, not merely a check that due process was followed.
- (d) The Panel will consist of at least 3 persons who have not been directly involved in the matters detailed in the complaint. At least one member of the Panel shall be independent of the management and running of the College. Each of the Panel members shall be appointed by the Chair of Governors of Dulwich College or (in his/her absence) the Vice-Chair. The Chair of Governors or Vice-Chair (as the case may be) shall also nominate one member of the Panel to chair the Panel.
- (e) The Clerk will schedule a hearing to take place within **25 working days** after the Clerk's receipt of the written notice of complaint referred to at paragraph (a) above. The Clerk will notify the complainant of the date of the hearing. If within **2 working days** of receiving that information, the complainant notifies the Clerk that they are not available on the date the hearing has been scheduled to take place, the Clerk will re-schedule the hearing to an alternative date and will notify the complainant of the new date. The complainant will inform the Clerk within **2 working days** whether they are available for the new date. For the avoidance of doubt, the Panel hearing may take place in the absence of the complainant.
- (f) Where a complaint that reaches Stage 3 is brought by one parent only, the College will (save in exceptional circumstances) keep informed and invite to attend the Panel hearing any other adult who entered into the contract with the College for the education of the relevant pupil. The College also reserves the right to keep informed and invite to attend the Panel hearing any other adult whom the College believes to have parental responsibility for the relevant pupil.
- (g) In the case of a complaint regarding a pupil's suspension or exclusion, the Master shall have complete discretion as to whether to implement the suspension or exclusion of the pupil pending the Panel's decision.
- (h) The Clerk may investigate (or ask a colleague or other person to investigate) any matters relevant to the complaint. The complainant shall co-operate with any such investigation. In addition, the Panel may conduct (or request that the Clerk conducts) such interviews before the hearing as the Panel sees fit.
- (i) The complainant shall produce (within **3 working days** of the Clerk's request) any such further information and documentation that the Clerk reasonably considers the Panel may require in order to make an informed decision about the complaint.
- (j) The Master may submit to the Panel and the complainant a written statement setting out his views in relation to the complaint not less than 48 hours before the hearing.
- (k) If the Chair of the Panel shall so decide, the hearing may take place at a location outside the College and/or wholly or partly by video or audio conference call.

- (l) The complainant may be accompanied at the hearing by one other person who is over the age of 18 and not a pupil at the College. This may be a relative, teacher or friend. It will not normally be appropriate for the complainant to be legally represented at the hearing and legal representation requires the prior approval of the Chair of the Panel.
- (m) 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 and the Chair of the Panel will adjourn the hearing whilst the further investigation takes place.
- (n) If the Chair of the Panel shall so decide, the hearing may be recorded, minuted or transcribed. If the meeting is recorded, the complainant will be given a typed and confidential transcript of the recording after the hearing (subject to paragraph (o) below).
- (o) If the Chair of the Panel reasonably believes that the Panel should hear evidence from an individual in the absence of the person bringing the complaint, he/she may so decide. In those circumstances:
- The complainant will be given reasons for that decision.
 - The complainant will be given a summary of the individual's relevant evidence after the event if the Chair believes the evidence to be relevant to the complaint.
 - The Panel may withhold the identity of any pupil or other young person who gives evidence in private to the Panel.
 - The Panel may withhold any recording, minute or transcription of evidence given in private.
- (p) The Panel may make decisions by majority vote.
- (q) The hearing shall take place even if the complainant does not attend.
- (r) The complainant may withdraw their complaint at any stage. If the complainant withdraws their complaint prior to the hearing, the hearing shall not take place. If the complainant withdraws their complaint at the hearing, the Chair of the Panel shall decide whether the hearing should continue or be brought to a close.
- (s) After due consideration of the merits of the complaint and all facts they consider 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; and
 - make recommendations.
- (t) The Panel's findings and recommendations in relation to the complaint shall be documented in the form of a report.

- (u) The Panel shall not have the power to waive the payment of any sums due to the College (including fees or fees in lieu due under the College's Standard Terms and Conditions), to make any monetary award or compensation or to impose sanctions on pupils or staff.
- (v) Within **5 working days** after the hearing, the Clerk will send the complainant and the Master a copy of the Panel's draft report. If the Panel's decision was reached by majority vote and there was a dissenting minority, the dissenting views shall be briefly summarised in the report.
- (w) If the complainant or the Master believes that the report is not factually accurate, they shall inform the Clerk in writing within **5 working days** thereafter, giving details of the alleged inaccuracies.
- (x) The Panel shall then finalise its report. A copy of the Panel's report will be: (i) sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about; and (ii) available for inspection on College premises by the Governors and the Master. The decision(s) of the Panel will be final.
- (y) Subject to the rules set out in this document, the Panel may regulate their proceedings as they see fit.
- (z) The Chair of the Panel shall have a discretion (but shall not be obliged) to extend any time period stated in Stage 3 of this procedure to allow flexibility if circumstances beyond their reasonable control (e.g. the Covid pandemic) have impeded the complainant or College staff from taking action by a specified date.

Policy Owner: The Clerk to the Governors
Last Reviewed: October 2024
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Information made available pursuant to Part 6 of the Schedule to the Education (Independent School Standards) Regulations
2014. Regulation 32(1)(b). Number of complaints registered under the Formal Procedure in the 2023-2024 Academic Year: 1