Complaints Policy Procedure for Parents
Whole School: Senior School/Junior School:
EYFS, KS1 and KS2

1. Introduction and purpose

Both Sydenham & Dulwich Girls (the "School") and the Girls' Day School Trust ("GDST") welcome feedback, suggestions and comments from parents. The School takes seriously concerns or complaints which parents may raise and wishes to work with them in the best interests of the young people in its care.

The aim of this procedure (the "Procedure") is to achieve a fair, effective and timely resolution of parental concerns about the education and/or welfare of individual children in the care of the School. Parents should be assured that all concerns and complaints will be taken seriously and treated confidentially, and that no pupil will ever be penalised for any complaint raised by a parent.

2. Who may complain?

This Procedure is applicable only to parents of pupils who are currently on the School's roll (and not to parents of prospective pupils). The only exception to this is that complaints made by parents of former pupils will be dealt with under this Procedure if the complaint was initially raised when the relevant pupil was still registered as a pupil at the School.

The expression "parent" is used for all those having parental responsibility for a child.
There is no formal procedure governing the making of a complaint to the School by any person who is not a parent. Any non-parent who wishes to make a complaint should do so by putting it in writing to the School's Head, who will consider how best to respond.

3. General

The aim of the Procedure is to produce a resolution that everyone involved can accept. The Procedure 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 Safeguarding Policy and Procedures).
- 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) 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 Head of Year, 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).

Parents should also be aware that:

- If multiple complaints are received from parents within the School that are all based on the same subject, the School may decide to send a uniform response to all complaints or to publish a single response on the School's website.
- Requests for financial awards, such as claims for compensation, damages or fee refunds, are beyond the scope of this 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 judgement of a member of the School's staff, the role of any person considering that complaint will be to determine whether that individual's judgement was exercised fairly and reasonably and according to the School'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.
- If a complaint ostensibly raised on behalf of a parent is raised via a method of communication previously unseen by the School (i.e. an email address that has not been provided as a contact method), the School may contact the relevant parent via known contact details to confirm that the complaint is genuinely made.

4. Timeframes

Effective and fair resolution of concerns usually requires that they are 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. Complaints may be heard after this time if the School's Head, the Chief Executive of the GDST or Complaints Panel (as applicable) consider that the delay has not prejudiced an effective and fair resolution.

It may take longer to resolve a complaint where statutory agencies are involved (for example, the Local Authority or the Police), during periods of significant disruption to School life, or as a consequence of unavoidable staff absences. The timeframes set out in this Procedure may therefore change depending on the circumstances of an individual case. Any deviation will, however, be on an exceptional basis, and parents will be advised should timeframe revisions be necessary.
In this Procedure, "school day" means any day that is not a Saturday, Sunday or a Bank Holiday, and which falls within the School's term time as published on its website. In calculating the number of school days in any scenario, the day of receipt and the day of reply shall not be counted.

5. The Three-Stage Process

The School follows a three-stage process for dealing with complaints, which operates as follows:

Stage 1 – Informal Resolution

- It is hoped that most complaints and concerns will be resolved quickly and informally.

- If parents have a complaint, they should normally contact their child's class teacher or Head of Year, as appropriate. In many cases the matter will be resolved straight away to the parent's (s') satisfaction. If the teacher cannot resolve the matter alone, it may be necessary for them to consult with other staff within the School.
- The teacher will acknowledge the complaint to the parent(s) and then make a written record of the complaint, the date on which it was received, and any action taken by the School as a result.
- Action taken by the School in response to a complaint at this stage may include reassurance and advice, reference to relevant policies and procedures, an apology for an oversight or mistake and/or a change in practice.
- Should the matter not be resolved within 10 school days of receipt of the complaint then the parent(s) will be advised to proceed with their complaint in accordance with Stage 2 of this Procedure.

Stage 2 – Formal Resolution

PART 2A - School Level

- If a complaint cannot be resolved on an informal basis at Stage 1, then the parent(s) should put their complaint in writing (by email is fine) to the Head (or Head of the Junior School if their child is a pupil in the Junior School) as soon as possible and include in their letter, what action they would like the School to take.
- The Head will acknowledge receipt and will contact the parent(s) within 5 school days, to see if a resolution can be reached at this stage by means of an informal conversation or meeting. If resolution cannot be reached in this way, the Head will confirm that the matter will be treated as a formal complaint and proceed to investigate it. The Head should ordinarily provide a written response to the parent(s) within 15 school days of the parent's(s') Stage 2A correspondence.
- Once the Head is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made, and the parent(s) will be informed of this decision in writing. The Head will give reasons for their decision.
- The Head's response may outline context, explain whether or not a relevant practice will be amended in future or, where appropriate, offer an apology.
- If the parent(s) are still not satisfied that a matter has been resolved satisfactorily, they may proceed to Stage 2B of this Procedure.
- Complaints about the Head should bypass this part 2A and should be made directly to the Chief Executive of the GDST (see part 2B below).

PART 2B - Trust Level

If the parent(s) are not satisfied with the Head's response at Stage 2A, (or if their complaint is about the Head), the parent(s) should write within 10 school days of the Head's response to the Chief Executive of the GDST. The Chief Executive can be contacted via email at parentalcomplaints@wes.gdst.net or by post at The Girls' Day School Trust, 10 Bressenden Place, London, SW1E 5DH. The complaint should clearly identify the parent's(s') main issue(s) of concern and indicate the nature of the resolution sought.

If a complaint is made to the Chief Executive before a formal complaint has been made to the Head, the Chief Executive may refer the matter back to the Head for investigation at Stage 2A.
On receipt of a Stage 2B complaint, the Chief Executive will arrange for investigation of the complaint and a written response will be provided to the parent(s) from the GDST within 15 school days of receipt. The response will provide a reasoned decision in response to issues raised and may come from either the Chief Executive or another member of the GDST's Senior Management Team.
If the parent(s) are still not satisfied with the decision, the parent(s) are able to proceed to Stage 3 of this Procedure.

Stage 3 – Panel Hearing

Convening a panel

- If the parent(s) are dissatisfied with a Stage 2B response and wish to have their complaint considered at a complaints panel hearing they should write, within 14 days of the Stage 2B response, to the Chair of the Council of the GDST by email at parentalcomplaints@wes.gdst.net or in writing to 10 Bressenden Place, London, SW1E 5DH. This letter should set out the grounds for appealing the decision at Stage 2B and the action that the parent(s) would like the complaints panel (the "Panel") to take. The Panel is not obliged to consider any new complaints that have not been previously raised.
- If a request for a Panel is made without the matter having previously been investigated by the School or on behalf of the Chief Executive, then the Chair will refer the matter back for investigation at Stage 2A or Stage 2B as appropriate.
- The Chair of the Council will then convene the Panel. 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 GDST and its schools. Each of the Panel members shall be appointed by the Chair of the Council and the Panel shall normally include two members of the Council who have had no previous involvement with the matter complained of. The Chair of the Council will appoint one of the three Panel members to act as the chair of the Panel (the "Panel Chair"). The Panel Chair may or may not also be the Chair of the Council.
- The Chair of the Council will consider whether any particular perspective or expertise will be helpful amongst Panel members and will, to the extent practically possible, take this into account when appointing Panel members. If the parent(s) feel that a particular perspective or expertise would be beneficial, they should raise this in their initial request for a panel hearing.
- The clerk to the Panel (the "Clerk") will deal with administrative issues prior to the panel hearing. The Clerk will normally be a member of the GDST's Legal Team.
- A hearing will be scheduled to take place as soon as practical and normally within 25 school days of receipt of the parent's(s') letter. If, despite the best efforts of GDST personnel, a hearing cannot be arranged within this time period, the Clerk will write to the parent(s) before the expiry of the 25-school day period setting out the likely timeframe for the hearing. The hearing will normally be held at the GDST's Trust Office in London, but in cases where it is not reasonable to ask parents and staff to travel long distances, efforts will be made to hold the hearing at premises near the School. Alternatively, the Panel Chair will consider whether it may be appropriate for the hearing to be held remotely by video conference.
- The parent(s) should supply copies of their previous written complaints to the Head at Stage 2A and the Chief Executive at Stage 2B and any other documentation they may wish to rely on to the Clerk for circulation to all parties not more than 7 days after the date of notification of the hearing. Documentation must be relevant to those matters set out in the complaint.
- The Clerk will request copies of statements and supporting/background documentation from the School, and this will be provided to parent(s) not less than 10 school days before the hearing.
- 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 the Clerk not less than 5 school days prior to the hearing, for circulation to all parties.

Conduct of the Panel

- The Panel's role is to review the evidence before it and decide whether to uphold the parent's(s') grounds of appeal in full or in part. In addition, it may make such recommendations to the School as it sees fit (e.g. to issue an apology or to adopt new polices or procedures).

- The Panel shall not have the power to waive the payment of fees or fees in lieu due under the Parent Contract, to make any monetary award or compensation or to impose sanctions on pupils or staff.
- The Panel may refuse to consider matters raised by the parent(s) at a hearing if such matters were not raised when the hearing was originally requested.
- All attendees at the hearing are expected to show courtesy and respect. If, after due warning by the Panel Chair, a person behaves in a manner inconsistent with this, the hearing may be adjourned or terminated at the discretion of the Panel Chair.
- If having requested a panel hearing, the parent(s) then withdraw their request, the hearing will ordinarily still proceed in the parent's(s') absence in order that the Panel can consider it and issue findings on its substance.
- The parent(s) may be accompanied to the hearing by one other person aged over 18. This may be a relative, companion or friend and their name (and the capacity in which they will be attending) should be notified to the Clerk at least 5 school days prior to the hearing. The companion must undertake to accept the confidentiality of this Procedure.
- Legal representation on a formal or informal basis will not normally be appropriate and will only be permitted by the Panel Chair in exceptional circumstances.
- The Head may be accompanied by the chair (or another appropriate member) of the School Governing Board (the "SGB Chair"). The role of the SGB Chair (or their nominee) will be to act as a companion to the Head and they will have no decision-making role in the panel hearing.
- It may additionally (or alternatively) be appropriate for the Head to be accompanied by a member of the School's leadership team.
- Once the hearing has closed and, after due consideration of all relevant facts, the Panel will reach a decision and may make recommendations.
- The Panel will write to the parent(s) normally within 10 school days informing them of its decision and the reasons for it. The Panel's findings, and recommendations (if any) will also be sent in writing to the Head, the Chief Executive of the GDST, the Chair of the Council and, where relevant, the person(s) against whom the complaint was made. The Panel's decision will be final.
- The Panel will make its decisions by majority vote and by applying the civil standard of proof (i.e. the balance of probabilities).
- No party is permitted to make a recording of a panel hearing. The Clerk or a colleague will keep a note of the hearing which will be for the benefit of the Panel only and to assist them in providing their outcome letter. It will be held securely and destroyed following delivery of the Panel's outcome letter.

6. External support

At any stage of the process, it may be helpful to consider engaging external support to assist in resolving particularly difficult or sensitive issues as constructively as possible. This could include mediation or a facilitated discussion by an experienced mediator or engaging support from external providers with a particular perspective or expertise.

7. Complaints Concerning GDST Trust Office Staff

If parents wish to make a complaint about a member of staff at the GDST's Trust Office, having been unable to resolve it satisfactorily with the person concerned or their line manager, the parent(s) should put their complaint in writing to the GDST's Chief Executive. The Chief Executive will then treat their complaint as a Stage 2B complaint. If the parents remain unhappy with this response, it can be escalated to a Stage 3 complaint in accordance with the mechanism outlined in this Procedure.

If the complaint is about the GDST's Chief Executive, the parent(s) should write to the Chair of the Council of the Trust at the GDST by post at The Girls' Day School Trust, 10 Bressenden Place, London,

SW1E 5DH or via email to parentalcomplaints@wes.gdst.net. The Chair will decide what future action should be taken.

8. Legal proceedings

Where legal proceedings exist between the GDST and a parent/pupil in relation to any matter that is the subject of a complaint, this Procedure may be subject to the constraints of the legal process.

9. Record-keeping, access and confidentiality

A written record of all complaints (which may include notes, correspondence, interviews and statements) will be kept at each stage of this Procedure and will include details of whether individual complaints were resolved or proceeded to the next stage. The record will include details of any action taken by the School as a result of a complaint, regardless of whether or not it is upheld. Records will be kept and managed in accordance with the School's policies on the retention and destruction of records and, in accordance with data protection principles, details of individual complaints will only be kept for as long as is considered reasonably necessary in the circumstances. Any complaints that have a safeguarding element will be retained in accordance with current government guidance.

When dealing with complaints, the School and the GDST may process a range of personal data, potentially including special category personal data. This data will be processed in accordance with the GDST's privacy notice, available at: https://www.gdst.net/privacy-notice/

Records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under s109 of the Education and Skills Act, such as the Independent Schools Inspectorate ("ISI"), requests access to them or where any other legal obligation prevails. The record of complaints relating to EYFS will be made available to Ofsted on request. In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulation 2014, the School will also make available, on request, to any parent, Ofsted, the Department for Education or the ISI, details of the number of complaints registered under the formal part of this Procedure during the preceding school year.

Any independent panel member who attends a Stage 3 panel hearing will be asked to confirm their obligation to keep confidential any information provided to them for consideration as part of the hearing and to destroy such information as soon as it is no longer required.

10. Early Years and Foundation Stage (EYFS)

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

Contact details are:

Ofsted: Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD or via their Helpline: 0300 123 1231 or via enquiries@ofsted.gov.uk

ISI: Independent Schools Inspectorate, CAP House, 9-12 Long Lane, London EC1A 9HA or by telephone: 020 7600 0100 or via concerns@isi.net

11. Review and monitoring

The School will keep a record of all complaints received at Stage 1 and Stage 2A and will share this with the GDST. The School's Head will review all complaints received annually to consider any School-wide issues arising that may require action. The GDST's Head of Legal will review complaints received across the GDST annually and will submit an annual report to the GDST's Audit Committee highlighting the number of complaints received across the GDST and any systemic or institutional issues arising with a view to considering further action.

12. References

- The Education (Independent School Standards) Regulations 2014 as amended by the Independent Education Provisions in England (Inspection Fees) (as amended) and Independent School Standards (Amendments) 2018 ("ISS Regulations")
- ISI Commentary on the Regulatory Requirements, September 2021
- The Statutory Framework for the Early Years Foundation Stage, DfE March 2017
- The Independent School Standards Guidance for Independent Schools, April 2019

Policy owner: Legal
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