



COMPLAINTS POLICY

This policy applies to all pupils in the school, including in the EYFS

Dolphin School (“**the School**”) has long prided itself on the quality of the teaching and pastoral care provided to its pupils. However, if parents or pupils do have a complaint, they can expect it to be treated by the School with care and in accordance with a clear policy and procedure.

The School encourages feedback or opinions from pupils and parents. We want an open dialogue where compliments, suggestions, concerns and complaints can be received and responded to constructively, promptly and appropriately. In practice, such dialogue is ongoing and conducted by various means through various points of contact. This Policy seeks to ensure that complaints are identified and dealt with properly, without unduly interfering with the normal flow of School/parent/pupil communication. Inevitably, not all complaints will be (nor should be) resolved to the satisfaction of the complainant, but by the application of this Policy, the School aims to deal with all complaints fairly.

Please do not be reticent about voicing a concern or making a complaint. Those who do so will not be penalised but are assured that their issue will be dealt with confidentially and with respect:

If there is something wrong, the School will want to put it right.

Scope of This Policy

For the purposes of this Policy a “**Complaint**” means:

An expression of dissatisfaction, however made, by a parent or pupil, by which the School (or a member of staff) is said to have failed and where the School is required (expressly or by implication) to rectify the problem or take steps to prevent the occurrence of a similar problem in future.

While a communication that is clearly identified as a “complaint” will be treated as a Complaint, a communication in any form can amount to a Complaint. Specifically, a Complaint need not be in writing or even described as a “complaint” to be treated as such under this Policy. In these cases the School looks to the substance and import of the communication to take a sensible view on whether a Complaint, to be dealt with pursuant to this Policy, has been made.

This Policy applies to Complaints made by a pupil, their parents, their legal guardians or any other person who has signed the acceptance form (referred to in the School’s **Terms and Conditions**) in respect of such pupil (their “**Primary Contact**”), for so long as such pupil remains enrolled in the School. Unless otherwise stated, references in this policy to “a parent” include all other types of Primary Contact.

The School may dis-apply or amend this Policy as it relates to a Complaint or a complainant where:

- a Complaint relates to an incident or matter that took place (or came to light) more than three months before the Complaint is made;
- a Complaint is made anonymously;
- a complainant hinders the School's consideration of a Complaint (or Complaints generally) because of the frequency or nature of the complainant's contact or lack of contact with the School;
- a Complaint is substantially the same as another Complaint, which has been dealt with or is being dealt with pursuant to this Policy; or
- the School considers it necessary to deal with such Complaint, complainant or those affected by such matters, fairly.

In such cases, the School will, where practicable, inform the complainant of such action and the basis of its decision.

This policy does not apply to issues related to child protection or employee/staff grievances, which are dealt with by the School pursuant to its policies relating to such matters.

Insofar as a Complaint gives rise to staff disciplinary procedures, a safeguarding issue, or to referral of the matter to an external authority, the complaints procedure annexed hereto at Appendix 1 ("**Complaints Procedure**") in relation to such Complaint may be suspended pending the resolution of such matters.

The Head has innumerable discussions with parents, children and staff, and is, as a matter of course, made aware of all Complaints. Further, unless the Complaint is about the Head, all "Stage 2" Complaints are referred to the Head in any event. Therefore, the Head shall not be obliged to treat a communication as a Complaint unless it is in writing and expressly identified as such. On receipt of a Complaint, the Head may deal with it directly or refer it to an appropriate member of staff.

Complaints by Pupils

If a Complaint is made by a pupil, the School will promptly inform the pupil's Primary Contact. Thereafter, subject to the School's **Safeguarding Policy**, the School will:

- at the direction of the Primary Contact, treat the Complaint either as a Complaint made by the Primary Contact; and
- seek to agree with the Primary Contact the extent to which the pupil should be involved in the handling of the matter, and (in the absence of such agreement) give the pupil such assurance and information as it considers to be in the best interest of the pupil.

Records

When a Complaint is made, the School will record the date and nature of the Complaint and may record or retain such other information relating to the Complaint as it thinks necessary for the proper handling of the Complaint.

The School will keep a record of the number of complaints at each Stage of the Complaints Procedure (a “**Stage**”) and a summary of complaints that reach Stage 2 or Stage 3 including the manner of their resolution, and any action taken by the School as a result of such Complaints (regardless of whether they are upheld).

Such information will be held by the School (subject to the School’s **Data Protection Policy** and the confidentiality provisions below) for a period of three years from the end of the academic year in which the Complaint is resolved, or in which the Complaints Procedure otherwise ends in relation to that Complaint.

Confidentiality

The School will keep correspondence, statements and records relating to individual Complaints confidential, except:

- insofar as it is necessary to comply with its **Safeguarding Policy**;
- insofar as it is necessary to share information internally or with professional advisors in order to deal with the individual Complaint, to address issues relating to the Complaint or to operate or review this Policy;
- where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them; or
- to the extent that such information is the public domain, other than by reason of the School’s breach of this confidentiality provision.

The School may publish derivative information relating to Complaints, such as the number and/or nature of Complaints received and/or resolved at each Stage, providing that such publication does not identify or allow identification of complainants or other individuals associated with any specific Complaint.

At the request of a parent or a prospective parent, the School will disclose to such person the number of Complaints received and/or concluded at Stages 2 and 3 in the 12 months preceding the request.

In respect of the Early Years Foundation Stage (“**EYFS**”), at the request of the ISI or Ofsted, the School will provide a written record of all Complaints relating to the requirements under the statutory framework for the EYFS made during any specified period, and the action that was taken as a result of each such Complaint.

Publication of Policy

The School will make this Policy and the Complaints Procedure available to pupils, parents and prospective parents by publishing it on the School’s website. It will also direct new parents to this Policy by reference or inclusion in the information pack given to new parents.

The School will make this Policy and the Complaints Procedure available to the School’s staff by publishing it on the School’s website, in the Staff Handbook and by reference or inclusion in the Induction Pack for new staff. Staff will be required to read this Policy and the Complaints Procedure, so that they are familiar with its underlying principles and can operate it insofar as they need to.

Upon request, the School will provide a copy of this Policy and the Complaints Procedure to:

- the ISI;
- the Chief Inspector (Ofsted);
- the Secretary of State; or
- a body conducting an inspection under Section 108 or 109 of the 2008 Education Act.

Advisors and Review

The School will:

- inform the Advisors annually (in the Autumn Term) of the number of complaints made and resolved at each Stage of the Complaints Procedure in the previous academic year, giving a summary of each of such Stage 2 and Stage 3 complaints; and
- review this Policy and the Complaints Procedure every three years. If, at such periodic review or otherwise, it becomes apparent that this Policy or the Complaints Procedure requires amendment, the School will make such amendment. Thereafter the School will update its website, Staff Handbook, its Induction Pack for new staff and its information pack for new parents accordingly.

APPENDIX 1

Complaints Procedure

General Timeframe

It is in the interest of all to resolve a complaint as speedily as possible. The time needed to deal with a Complaint will vary according to the nature of the Complaint, the extent of investigations and actions needed to resolve it, as well as the availability of those individuals that are needed to resolve it. Nevertheless, in applying the three-stage procedure set out below, the School aims:

- at Stage 1, to log, acknowledge receipt of and, if possible, resolve a Complaint within 5 (five) working days during term time or 10 (ten) working days out of term time;
- if any Complaint proceeds to Stage 2, to complete that Stage within 10 (ten) working days during term time or 15 (fifteen) working days out of term time, in each case from the date of the Complaint being referred to the Head;
- if any Complaint proceeds to Stage 3, to acknowledge that fact promptly and to complete the hearing by the Complaints Panel within 28 (twenty eight) days of the School's receipt of notice requiring commencement of Stage 3 in relation to the Complaint; and
- notwithstanding the above, if a Complaint is received or referred to a further Stage outside of term time, it will be deemed to have been made or referred on the first school day of the following term.

In the case of a written Complaint about the fulfilment of the EYFS requirements, the School will investigate and notify the complainant of the outcome of the investigation within 28 (twenty eight) days of the School's receipt of the Complaint.

Stage 1 – Informal Resolution

It is hoped that most Complaints will be resolved quickly and informally at this Stage 1 level.

If parents have a Complaint they should initially contact their child's form teacher, either verbally, by email or otherwise in writing.

Complaints made to other members of staff (including the Head, Deputy Head or Head of Section or Department) will be referred to the child's form teacher, unless:

- the Complaint concerns the form teacher;
- the Complaint is directly against the Head; or
- such other initial contact otherwise deems it appropriate for him/her to deal with the matter personally.

If the Complaint is directly against the Head, parents should make the Complaint to Dolphin School Limited at Dolphin School, for the attention of "the Complaints Co-ordinator".

If the form teacher (or other initial contact) cannot resolve the matter alone, they may consult other members of staff with a view to facilitating an early resolution of the Complaint.

The form teacher (or other initial contact) will make a written record of the Complaint, will acknowledge receipt of the Complaint and will endeavour to resolve the Complaint as soon as possible.

If, within 5 (five) working days during term time or 10 (ten) working days out of term time, the Complaint is not resolved to the satisfaction of the parent, the parent may proceed with their Complaint in accordance with Stage 2.

Notwithstanding the parent's ability to proceed with their Complaint in accordance with Stage 2, the parent and form teacher (or other initial contact) may, by agreement with the parent, continue to deal with the Complaint as a Stage 1 Complaint.

A Complaint is deemed resolved at this Stage 1 if it is resolved to the satisfaction of the parent, or if there is no further communication from the parent concerning the Complaint for a period of 14 (fourteen) days without commencement of Stage 2 in relation to the Complaint.

Stage 2 – Formal Resolution

If a Complaint is not resolved at Stage 1, the parent may put the Complaint in writing to the Head, unless the Complaint is directly against the Head, in which case the parent should make the Complaint to Dolphin School Limited at Dolphin School, for the attention of the "Complaints Co-ordinator". In either case, in doing so, the parent should indicate that they wish to commence Stage 2 of this Complaints Procedure in respect of the Complaint.

Unless the Complaint is directly against the Head, the Head will decide, after considering the complaint, the appropriate course of action to take, which may include delegation of the matter to another member of the School's senior management team. In most cases, the Head will meet the parent concerned, normally within seven days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at such meeting although, depending on the circumstances, the Head may decide to carry out further investigations before attempting to resolve the matter.

Once the Head is satisfied that, so far as is practicable, all of the relevant facts have been established, the Head will attempt to resolve the matter, with or without further discussion with the parent as the Head considers appropriate in the circumstances. Upon reaching a decision the Head will inform the parent of the decision and the reasons for such decision.

The Head will make written records of all meetings and interviews held in relation to the handling of the Complaint at this Stage 2. The Head will make a written record of any action taken by the school in consequence of the Complaint.

Where a Stage 2 Complaint is directly against the Head, Dolphin School Limited will nominate a serving Advisor to consider the Complaint. The nominated person will require the Head to provide a report in relation to the Complaint and will proceed as above (as if references to the Head are references to the nominated person).

The School aims to complete this Stage 2 within 10 (ten) working days during term time or 15 (fifteen) working days out of term time, in each case from the date of the Complaint being referred to the Head (or Dolphin Limited, as the case may be) as a stage 2 Complaint.

A Complaint is deemed resolved at this Stage 2 if it is resolved to the satisfaction of the parent, or if there is no further communication from the parent concerning the Complaint for a period of 14 (fourteen) days without commencement of Stage 3 in relation to the Complaint.

If a parent is not satisfied with the decision made at this Stage 2, the parent may proceed with their Complaint in accordance with Stage 3.

Stage 3 – Panel Hearing

If a Complaint is not resolved at Stage 2, the parent may put the Complaint in writing to Dolphin School Limited at Dolphin School, for the attention of the Complaints Co-ordinator. In doing so, the parent should indicate that they wish to commence Stage 3 of this Complaints Procedure in respect of the Complaint.

Upon receipt of such notice, the Complaints Co-ordinator (an Advisor will fulfil this role when required) will:

- promptly acknowledge receipt of such notice in writing to the parent;
- appoint a complaints panel (the “**Complaints Panel**”). The Complaints Panel will consist of 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;
- schedule a hearing to take place as soon as practicable;
- liaise with the parent and the Complaints Panel to gather, collate and circulate the information that the parent or the Complaints Panel think necessary to hear the Complaint. Such information may include, for example, further particulars or the Complaint or related matters, statements, records and other evidence or information; and
- will endeavour to ensure that the information referred to above is circulated to the Complaints Panel and the parent at least seven days before the hearing.

The Complaints Panel will, and the parent is requested to, co-operate with the Complaints Coordinator in preparation for the hearing.

The parent may attend the hearing and be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or friend. The hearing is not a form of legal proceedings. As such, legal representation will not usually be appropriate, but the Complaints Panel may permit or recommend legal representation where it considers the circumstances warrant.

At the hearing, the Complaints Panel will hear the Complaint afresh and will endeavour to make a decision in relation to the Complaint (and any action to be taken in consequence of the Complaint). However, it may defer such decision or ask for further investigation, information or a further hearing where it thinks such action is necessary for the proper consideration of the Complaint.

Upon coming to a decision in relation to the validity of the Complaint and any action to be taken by the School in consequence of the Complaint (regardless of whether it is upheld), the Complaints Panel will:

- inform the parent (and where relevant, the person complained about) in writing (by email or otherwise) of such decision and the reasons for it; and

- make such decision and reasons available for inspection on School premises by the proprietors of the School and the Head.

If a Complaint proceeds to this Stage 3, the School aims to hold the hearing by the Complaints Panel within 28 (twenty eight) days of the School's receipt of notice requiring the Complaint to proceed to this Stage 3.

A Complaint is deemed resolved at this Stage 3 if it is resolved to the satisfaction of the parent, or if there is no further communication from the parent concerning the Complaint for a period of 28 (twenty eight) days, or if the Complaints Panel comes to a decision and informs the relevant individual(s) (stated above) of the decision. The decision of the Complaints Panel will be the final decision of the School in relation to the Complaint.

Department for Education and the Independent Schools Inspectorate

Complainants may also complain directly to the Department for Education ("**DfE**") or the Independent Schools Inspectorate ("**ISI**"). While these organisations do not become directly involved with individual complaints, the DfE has certain powers as a regulator if the School is not meeting standards set by DfE and the ISI may take information or concerns into account in relation to the next school inspection. The parent can complain to the DfE by filling in its online School Complaints Form and can complain to the ISI by emailing concerns@isi.net or by calling 020 7600 0100.

Last updated:	September 2019
Now updated:	November 2020
Next scheduled review:	November 2021