



ELTHAM COLLEGE  
FAMILY OF SCHOOLS

## **Complaints Procedure**

### **For the Eltham College Family of Schools**

**Last reviewed: July 2024**



## Version Control Information

Reason for Amendment	Name	Date	Main Changes
Annual Review	Bursar	August 2016	Reviewed and approved by Bircham Dyson Bell. Formatting changes.
Annual Review	Bursar	August 2017	Updated to reflect staffing changes
Review of conditional language	Bursar	Feb 2018	
Review of stage 1	AMM	Jan 2019	Inclusion of a meeting at stage 1
Annual review	HM	Feb 2019	None
Annual review	AMM	June 2020	Appendix updated with 2019-2020 statistics
Annual review	JHM	September 2021	
Annual Review	JHM	September 2022	Appendix updated with 2021-2022 statistics
Annual Review	JHM	August 2023	Appendix updated with 2022-23 statistics
Review	Bursar	October 2023	Reviewed against best practice ISBA policy and to bring into scope Blackheath Prep following the merger with Eltham College.
Annual Review	Bursar	July 2024	Confirmation that complaint meetings may not be recorded.  Updated to show the number of stages 2 and 3 complaints in 2023/24



## **1 Introduction**

The three Schools that comprise the Eltham College Family of Schools (Eltham College Senior School, Eltham College Junior School and Blackheath Prep) have long prided themselves on the quality of the teaching and pastoral care provided to their pupils. However, we acknowledge that sometimes concerns or complaints can arise. When this happens, we aim to deal quickly and sensitively with the issues in an attempt to resolve the situation to everyone's satisfaction.

If parents do have a complaint, they can expect it to be treated by the School in accordance with this Procedure. The Complaints Procedure is available to parents and pupils on the Schools' websites and on request from the Bursar.

Although this Procedure is made available to be viewed on the website by parents of prospective pupils and others, it is not available for use by them. It may only be used by parents of current pupils.

Complaints by parents of former pupils will be dealt with under this Complaints Procedure only if the complaint was initially raised when the pupils to which the complaint relates was still registered as a pupil at the School.

"Parent(s)" means the holder(s) of parental responsibility for a current pupil about whom the complaint relates.

In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, we 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.

## **2. What Constitutes a Complaint?**

A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the School as a whole, about a specific department or about an individual member of staff, and any matter about which a parent is unhappy and seeks action by the School is within the scope of this procedure. A complaint is likely to arise if a parent believes that the School has done something wrong, failed to do something that it should have done or has acted unfairly.

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

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.



### **3. The Three-Stage Complaints Procedure**

#### **Stage 1: Informal Resolution**

Most complaints and concerns are resolved quickly and informally.

If parents have a complaint, they should normally contact their child's form teacher by email, copying in the Head of Section. In many cases, the matter is resolved straightaway to the parents' satisfaction.

Complaints must be made as soon as possible after an incident or cause for complaint arises.

Complaints made directly to a Head of Department or other senior member of staff will usually be referred back to the relevant form teacher unless the senior member of staff deems it appropriate for him/her to deal with the matter personally.

If parents have made a complaint by letter or email, we aim to contact them within one working day to acknowledge their concerns and explain how we propose to proceed. If a complaint is raised initially by telephone, we ask parents to put their concerns in writing in order that we may review and address them appropriately.

Should the matter not be resolved within five working days (or a longer period if that is agreed with the parent concerned or otherwise reasonable in the circumstances), or in the event that the member of staff and the parents fail to reach a satisfactory resolution, the parents are usually invited to meet with a more senior member of staff. If a resolution cannot be found as a result of this meeting, parents are advised to proceed with their complaint in accordance with Stage 2 of this Procedure.

If the complaint is against the Headmaster & CEO of Eltham College Family of Schools, parents should make their complaint to the Chair of Governors via the Clerk to the Governing Body, whose contact details are available on the School website.

If the complaint is against the Head of Blackheath Prep, the Head of Eltham College Junior School or one of the Deputy Heads of Eltham College Senior School, parents should make their complaint to the Headmaster & CEO of Eltham College Family of Schools.

#### **Stage 2: Formal Resolution**

If the complaint cannot be resolved on an informal basis, the parents should put their complaint in writing to:

- the Headmaster & CEO of the Eltham College Family of Schools if the complaint relates to a Senior School pupil
- the Head of the Junior School if the complaint relates to a Junior School pupil
- the Head of Blackheath Prep if the complaint relates to a Blackheath Prep pupil.

The Head may in some circumstances deem it appropriate to nominate a staff member to hear the complaint and manage the Stage 2 complaint process. The Head (or their nominee) will decide, after considering the complaint, the appropriate course of action to take.

Equally, in some instances it may be appropriate for a complaint from a parent of a pupil at the Junior School or Blackheath Prep to be considered at Stage 2 by the Headmaster & CEO of Eltham College Family of Schools.



If the complaint is against the Headmaster & CEO of the Eltham College Family of Schools, the complaint should be made to the Chair of Governors, via the Clerk to the Governing Body. The Chair of Governors will nominate someone to determine the complaint. The Stage 2 process described below will then be followed as if the references to the Head (or their nominee) is to the individual nominated by the Chair of Governors to determine the complaint against the Headmaster.

In making a Stage 2 complaint, the parent should set out in writing the basis of their complaint and what they think might resolve the issue.

In most cases, the Head (or their nominee) will meet or speak to the parents concerned, normally within 5 working days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage. In some cases, it may be necessary for further investigations to be carried out. The Head (or their nominee) will determine who should carry out any investigation. Written records will be kept of all meetings and interviews held in relation to the complaint, but recordings of such meetings are not permitted.

Once the Head or nominee (or the Nominated Governor) is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision is made and parents are informed in writing together with brief reasons for that decision. In most cases, the decision will be taken and communicated to the parents within 10 working days of receipt of the complaint.

If parents are still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

Please note that if the complaint is made during a school holiday period or the time within which it is to be dealt with enters the school holiday period the times set out above may be delayed if it proves impossible to make contact with staff who are material to the investigation or the matter in question.

### **Stage 3: Panel Hearing**

If parents are not satisfied with the Head's (or the Nominated Governor's) written decision at Stage 2, they may request that their complaint is heard by a Complaints Panel.

To invoke a Stage 3 Complaints Panel, the parents should write to the Clerk to the Governing Body (details available on the School website) within 10 working days of receiving the decision at Stage 2, setting out their grounds of appeal. Any supporting evidence which the parents wish to rely on should also be provided with their grounds of appeal and a description of what they think might resolve the issue.

The matter is then referred to a Complaints Panel which will consider the complaint and make a final decision.

The Complaints Panel will consist of at least three persons not directly involved in the matters detailed in the complaint, one of whom will be independent of the management and running of the School (see Appendix 1 as to who may be suitable to serve as an independent member of the panel). The other two panel members will be Governors of the School.

The Complaints Panel will appoint one of the Panel members to act as the Chair of the Panel. The Clerk to Governors, on behalf of the Panel, will acknowledge the complaint within 5 working days and schedule a hearing to take place within 20 working days of receipt of the Stage 3 appeal wherever possible.



The remit of the Panel shall be at the discretion of the Chair of Governors. The Panel then decides on the procedure to be followed at the hearing and who will attend the hearing. The Panel may require the attendance of the Headmaster & CEO of Eltham College Family of Schools, Heads of the Junior School or Blackheath Prep or any other member of the schools' staff at 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 will be supplied to all parties not later than 5 days prior to the hearing.

The parents 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. Legal representation will not be appropriate (at any stage of the complaints procedure) and the companion must not be a lawyer. The Panel will decide whether it would be helpful for witnesses to attend. A written note of the panel discussion will be taken, but recordings are not permitted.

The parents are given every opportunity to state their case at the Panel.

If possible, the Panel, after due consideration of all the facts they consider relevant, will make a decision without the need for further investigation.

Where further investigation is required, the Panel decides how it should be carried out.

After due consideration of the merits of the complaint and all the 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;
- make recommendations.

The Panel's decision and reasons for it will be communicated to the parents in writing within five working days of the hearing wherever possible (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.**

A copy of the findings and any associated recommendations will be provided to the parents, and where relevant to the person complained about as well as the Chair of Governors and the Stage 2 decision-taker. A copy of the findings and recommendations will also be available on the School's premises for inspection by the Chair of Governors and the Headmaster (and provided to the Head of Blackheath if the complaint relates to a Blackheath Prep pupil, with a copy available at Blackheath Prep for inspection as required).

Please note that if parents request a Panel hearing shortly before or during a school holiday period, the times set out above may be delayed if it proves impossible to make contact with staff who are material to the investigation or the matter in question.



#### **4. Complaints from Parents of EYFS Pupils: Blackheath Prep**

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

Blackheath Prep will provide ISI, 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 will be kept in accordance with the School's Privacy Notice

Parents seeking to complain direct to ISI if they believe Blackheath Prep is not meeting the EYFS requirements, can contact the ISI as follows:

- ISI can be contacted on 020 7600 0100 or by email: [concerns@isi.net](mailto:concerns@isi.net)
- Address: ISI, CAP House, 9-12 Long Lane, London EC1A 9HA

#### **5. Keeping a Record of Complaints and Use of Personal Data**

Following resolution of a complaint, the School will keep a written record of all formal complaints considered at Stage 2 and Stage 3 and any action taken by the School as a result of the complaint (regardless of whether the complaint is upheld) for seven years. It will do so in accordance with the Schools' Privacy Notice and Data Protection Policy.

The School processes data in accordance with its Privacy Notice. 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 all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name and contact details of member (s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations)
- Notes/minutes of the 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.

All records relating to complaints shall be treated as confidential.

In addition to where requested by the Secretary of State or an inspector (see above), 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 (e.g. in response to a subject access request) which prevails over the requirement to maintain the records as confidential.



### Number of Complaints

For the academic year 2023/24, the following formal complaints were considered at Stages 2 and 3 of the Complaints Procedure:

- |  |                        |                        |
|--|------------------------|------------------------|
| • <b>Eltham College Senior Schools</b> | Stage 2 – 5 complaints | Stage 3 – 1 complaint  |
| • <b>Eltham College Junior School</b>  | Stage 2 – 0 complaints | Stage 3 – 0 complaints |
| • <b>Blackheath Prep</b>               | Stage 2 – 1 complaint  | Stage 3 – 0 complaints |





## **APPENDIX 1: Complaints Procedure - Independent Member of the Panel**

The DFE has given the following guidance as to who may serve as an independent panel member:

*Our general view is that people who have held a position of responsibility and are used to scrutinising evidence and putting forward balanced arguments would be suitable. Examples of persons likely to be suitable are serving or retired business people, civil servants, heads or senior members of staff at other schools, people with a legal background and retired members of the police force.*