

Complaints Policy

Executive Summary:

This policy outlines the manner in which complaints are handled by the school. Complaints may start with lesser “informal concerns” that a parent may have with the school.

The Independent Schools Inspectorate states that schools must have a published (made available) complaints policy with a 3-stage process. ISI requires that such a policy is aimed at parents of pupils. For the sake of completeness, this policy also covers guidance for complaints which may arise from members of the public as well as directly from pupils themselves.

Introduction

Eastbourne College has long prided itself on the quality of the teaching and pastoral care provided for its pupils. It also wishes to be perceived in the most favourable possible light by all stakeholders whether they be parents, staff, neighbours to its estate or people that live or work elsewhere that come into contact with the College or its representatives. This requires a clear, fair, and efficient procedure for dealing with any complaints to or against the school, so that any issues that arise can be dealt with as swiftly and effectively as possible.

This policy is reviewed biennially by senior staff and reviewed and approved by the board of governors. Any regulatory change will lead to further review. It is readily available on the College website and can also be requested via Reception either by telephone, in person or in writing.

For the purposes of this policy, the word complainant is termed to mean anyone that wishes to complain about something that the school has done or has perceived to have done. If a complainant does have a complaint, they can expect it to be treated by the School in accordance with this procedure. Changes to Independent School Inspectorate (ISI) ISI Regulations in January 2015 no longer distinguish between “concerns” and “complaints” stating that any matter about which a parent of a pupil is unhappy and seeks action by the school is now classed as a complaint.

The use of the term “parent” in this document refers to any person with parental responsibility for a pupil at the College. The nature of the policy means that much is suitable for use by other parties who wish to lodge a complaint against the school; hence the term “complainant” is used throughout, although there are specific sections and statements which only apply to parents.

Regarding pupils, this complaints procedure only applies to pupils already attending the College. It does not apply to prospective parents or pupils, nor ex-pupils / parents (unless the nature of the complaint was initiated whilst the ex-pupil was still attending school). This complaints procedure does not cover pupil admissions which has its own process of complaints and appeals outlined in relevant policies.

A complaint may be about the school as a whole, about a specific department, or about an individual member of staff. A complaint is likely to arise if a complainant believes that the school has done something wrong, or failed to do something that it should have done, or acted unfairly.

If there is an allegation or concern about physical or sexual misconduct towards a child, or there is a belief that a child may be at risk of serious harm, the school may immediately refer the case to child protection and welfare services and/or the police. If it is decided that there is cause for an official investigation, the decisions by these authorities will supersede those made by the school and outlined in this policy. For more information on our school's provision for protecting our pupils, read our child protection and safeguarding policy.

Anonymous complaints will not be examined under this policy.

Complainants can be assured that all concerns and complaints will be treated seriously and confidentially. For parents, the College 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.

Guidance is provided within each stage of the process below with regards to how quickly the school will respond to complaints and concerns. Reflecting this, in the interests of solving complaints and concerns promptly, properly and effectively, as well as ensuring having a fair chance at being able to do so, the school expects complainants to lodge any concern or complaint within a reasonable time-frame. Common-sense suggests that such a time-frame would be days or weeks after an issue that triggered a concern or complaint, as opposed to months. Delays could potentially exacerbate a particular problem further and investigations could be compromised if staff or pupils concerned with the issue had left the school during such a delay. A delay could well compromise the effectiveness of a solution being found to everyone's satisfaction. Whilst the school will always do all it can to deal with a complaint as properly as it can and hopefully solve it well, there would need to be a strong reason for a complaint or concern to be initially lodged more than three months after the issue came to light.

Process

Stage 1 - Informal Resolution

It is expected that most complaints will be resolved quickly and informally. The vast majority of concerns and complaints, where they occur, are best approached in this way and indeed, solved at this early stage.

If a current pupil has a concern or complaint they will normally discuss this directly with their tutor or hsm (Housemaster or Housemistress). The tutor or hsm would meet with the pupil as soon as practicable. A pupil may initially voice a concern or complaint to any member of College staff such as their matron or a Medical Centre nurse. Similarly they may choose to make their first contact with a house or school prefect, a friend, peer listener, the chaplain or the school counsellor. The culture of the school is that of a supportive community with a wide network of support avenues available and these would of course include the second master and deputy head (pastoral) (Designated Safeguarding Leads), school doctors and headmaster. Further guidance on pupil concerns and complaints is shown in the annexe situated at the end of this policy. For ease of reference this is also posted in the White Book.

The tutor and hsm are key supportive staff that will generally be involved and informed of such concerns and complaints from the outset, in order that they can support the pupil / parent in addressing their concern or complaint as soon as possible.

Parents will wish to support their child through any difficulty they are experiencing at school. If a parent becomes aware that their child has a concern or complaint, normally and initially, the best means of supporting their child is for the parent to encourage their child to speak directly with their tutor or hsm who is generally the best placed person “on the ground” to find a solution to the problem. A parent encouraging their child to adopt “ownership” and a “self-help” approach to solving a problem in this way, is more often than not the most efficient way of addressing and solving a concern.

There may be situations where a parent may deem a matter to be sufficiently serious to contact the hsm directly.

If parents have a complaint they should normally contact their child’s housemaster or housemistress (hsm). In many cases, the matter will be resolved straightaway by this means to the parents’ satisfaction. The hsm will get back to parents within 2 working days (except during school holidays when every effort will be made to respond with a plan within 2 weeks) with a plan on how the matter will be resolved if it has not been already. If the hsm cannot resolve the matter alone it may be necessary for the hsm to involve the relevant head of department or activity (hod), the second master, or other SMT who may take charge of the informal resolution. Complaints concerning against a hsm may be made directly to the deputy head (pastoral).

An informal resolution can be organised via a meeting between parent, hsm and/or relevant senior staff, or simply by means of direct communication (by telephone, email or face to face meeting) between the parents and the relevant senior staff. It may be appropriate for a pupil to attend the meeting if their parent has raised a concern, depending on the nature of the issue. The child’s tutor may well be invited to attend any meeting in order to assure the most satisfactory outcome for the pupil and parents going forward.

Non-parent complainants who wish to express a concern or a complaint should contact the second master (contact details are at the end of the policy). Holiday-time complaints may be best issued to the facilities bursar. One or other of these staff will respond, normally within 3 working days.

For complaints reaching this stage, notes will be recorded by the College, outlining the nature of the concern and the agreed solution. Pupil complaints will be stored on the pupil’s file. Correspondence, statements and records will be retained and kept confidential to those involved except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access to them or where any other legal obligation prevails.

Stage 2 - Formal Resolution

If the complaint cannot be resolved on an informal basis, then the complainant should put their complaint in writing to the headmaster. If the complaint is about the headmaster then it should be addressed directly to the Chair of Governors. The headmaster (or the Chair of Governors) will decide, after considering the complaint, the appropriate course of action to take.

In most cases, the headmaster (or a governor, delegated by the Chair of Governors, if the matter concerns the headmaster) will meet or speak to the complainant concerned, normally within five working days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.

It may be necessary for the headmaster (or governor as directed by the Chair, if the matter concerns the headmaster) to carry out further investigations.

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Once the headmaster (or governor, if the matter concerns the headmaster) is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and the complainant will be informed of this decision in writing within 2 weeks. The headmaster (or governor, as appropriate) will also give reasons for his decision.

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

Stage 3 - Appeal; leading to a Panel Hearing / Governor Review of Permanent Exclusions

If a complainant seeks to invoke Stage 3 (following a failure to reach an earlier resolution), they will be referred to the Chairman of Governors. A complaint against the Chairman should be addressed to the Vice Chairman.

Importantly, a complainant **cannot** seek to lodge a complaint **directly** into this third and final stage of the process. If a complaint is lodged at this stage before having progressed through earlier stages then the complainant will be directed to follow the policy progression as laid out. It is important that the College has the opportunity to deal with and hopefully solve complaints before they are escalated to the governor (and final) stage in the process.

A complaint made at this stage should be made directly to the address below:

The Chair of Governors / Vice Chair of Governors
c/o The Clerk of Governors
Eastbourne College
Marlborough House
Old Wish Road
Eastbourne
East Sussex BN21 4JY

The chair or vice chair will respond within 7 working days of receiving the nature of the complaint, putting forward a plan of how the complaint is to be resolved. Having responded formally, the clerk of governors will then be designated to act as the point of communication between governors and the complainant. The clerk of governors, on behalf of the panel, will then schedule a hearing to take place as soon as practicable and normally within 15 working days of the date of the letter of acknowledgement.

The clerk of governors will communicate with the complainant to agree and identify the most favourable location for the Panel Hearing to take place. Three options of dates and times will be given, all within a 3-week diary block. This is in order to provide focus for a solution and to try and achieve this aim quickly and to the satisfaction of all concerned. One of the suggested days will be a

Saturday. One of the start timings will start in mid-afternoon. Such options are to provide complainants with a variety of helpful options from which to choose, should they wish to attend in person. At least one of the date / time options will be at Eastbourne College. At least one of the date / time options will be at a suitable venue in London. The reason for a London venue is owing to the fact that many of the College governors and College parents either work or live within or nearby to London.

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 panel hearing. Copies of such particulars shall be supplied to all parties no later than five working days prior to the hearing.

The complainant has the right to attend the panel hearing (or governor review of permanent exclusion) in person. If they wish to attend, the complainant may be accompanied to the hearing by one other person whose identity should be clarified at least 3 working days in advance of the meeting. This may be a relative, teacher or friend. Legal representation will not normally be appropriate. If a supporter is legally qualified, a member of a professional association or trades union, the clerk to the governors must be informed so that the panel and other parties may have the opportunity to bring professionally qualified support. They are obliged to accept one of the three offered appointments in the interests of bringing about a conclusion to the process in a timely fashion. If they are satisfied for the panel to convene and make a decision without them, they must inform the clerk of governors of this intention no less than 3 working days in advance of the hearing / review.

The matter will be referred to the complaints / review panel for consideration. In this context, a full panel or review panel should not be regarded as a legal body. It is a group of professional and experienced persons whose task it is to decide if a complaint is justified.

For a full panel hearing, 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 School. The College will have due regard to ISI and DfE regulations requiring that such an “independent” person must have held a position of professional responsibility, is used to scrutinising evidence and putting forward balanced arguments (eg serving / retired business people, civil servants, heads or senior members of staff/governors at other schools, people with a legal background and retired members of the police force may be considered). Each of the panel members shall be appointed by the chairman of governors. Other than the independent person, the remainder of the Panel will be serving governors on the Board, though not normally one of the parent governors if the complainant is a parent. The clerk of governors and a member of the HR staff will be present to advise the Panel as necessary, during the course of proceedings.

Governor Review

Parents may ask for a governor’s review of the headmaster’s decision to permanently exclude (expel) / dismiss a pupil. Such a request must be made within 7 days of the decision. This will be in all respects the same as for a panel hearing; the only difference being that the panel will comprise College governors; there will be no independent person in attendance, unless expressly requested by parents in writing. Once again, each of the panel members shall be appointed by the chairman of governors. Other than the independent person, the remainder of the panel will be serving governors on the board, though not normally one of the parent governors if the complainant is a parent. The clerk of governors and a member of the HR staff will be present to advise the Panel as necessary, during the course of proceedings. Pending outcome of the governors review, the pupil must remain away from school.

No person can sit on any such panel if they have had any former knowledge or involvement in the case that is being dealt with at that time. The chair of the panel will be nominated from within the group of panel members. All panel members will be familiar with and have access to the complaints policy. The panel will give careful consideration to how the complainant can be made to feel most comfortable presenting to the panel, especially in any case of a child having to present or explain information.

Prior to the hearing, the Clerk is to circulate to the panel members, the complainant (who may / may not be a parent) and the school representatives a briefing folder containing:

- a. The letter of complaint.
- b. The response from the school.
- c. A copy of the Complaints and Governor Review policy.
- d. Any documentation relied upon by either party.
- e. Details of the names, professional qualifications or representative status of any supporters who will be present.

The procedure for an appeal is usually as follows:

1. The complainant and Headmaster will enter the hearing together.
2. The chair will introduce the panel members and outline the process.
3. The complainant will explain the complaint.
4. The Panel will seek clarification on any points raised by the complainant and ask any further questions.
5. The headmaster will explain the school's actions, responding to the complainant's case, highlighting any areas of importance.
6. The panel will seek clarification on any points raised by the headmaster and ask any further questions.
7. The complainant will sum up their complaint.
8. The headmaster will sum up the school's actions.
9. The panel may take this opportunity to ask any final questions
10. The chair will explain that both parties will hear from the panel either on the day or within a specified timeframe - normally within 7 working days
11. Both parties will leave together while the panel decides.
12. The clerk (and, if appropriate, a member of the HR staff) will stay to assist the panel with its decision making.

There may be adjustments to this procedure made. For example, it may be decided to listen to the headmaster and complainant separately. It may be necessary for the second master to stand in for the headmaster, if the headmaster is unavailable. All those attending the hearing are expected to show courtesy, restraint and good manners. If necessary, the chair may decide at his / her discretion, to adjourn or terminate proceedings at any time.

The clerk to the governors will be present throughout the hearing and will keep a minute of the main points that arise. This will act as the official record and will be circulated for comment to all parties. The proceedings will not and may not be electronically recorded. Everyone present may take their own notes.

If possible, the panel will resolve the complainant's complaint immediately without the need for further investigation. Where further investigation is required, the panel will decide how it should be carried out. After due consideration of all facts it considers relevant, the panel will reach a decision and may make recommendations, which it will usually complete within 7 working days of the hearing.

The panel will write to the complainant informing them of its decision and the reasons for it. The panel's findings and, if any, recommendations will be sent in writing to the complainant, the headmaster, the governors, and where relevant, the person about whom the complaint was made. The decision of the panel will be final.

It is not within the powers of the panel or any governor involved in this stage to make any financial award, nor to impose sanctions on staff, pupils or complainants. The Panel may make recommendations on such matters or any other issues to the headmaster and / or to the Board of Governors, as appropriate.

The appeals panel may:

- dismiss all or part of the complaint;
- uphold all or part of the complaint;
- decide on the appropriate action to be taken to resolve the complaint;
- evaluate all the evidence available and recommend changes to the school's systems or procedures as a preventative step against similar problems arising in the future.

If a complainant is unhappy with the outcome, they may wish to put their complaint to the Independent Schools Inspectorate by writing to ISI, **CAP House, 9-12 Long Lane, London EC1A 9HA**, or to concerns@isi.net. Complainants can also contact the Department for Education [online](#) or on **0370 000 2288**.

For complaints reaching this stage, notes will be recorded by the College, outlining the nature of the concern and the agreed solution. Pupil complaints will be stored on the pupil's file. Correspondence, statements and records will be retained and kept confidential to those involved except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the 2008 Act requests access to them or where any other legal obligation prevails.

The College will review and evaluate all complaints no matter how far they are taken or what the outcome to ensure that similar problems are avoided in the future or to see if they could have been managed any more effectively.

Staff Complaints

Staff who have a concern about a colleague or a volunteer member of staff should refer to our **Whistleblowing Policy** and our **Safeguarding and Child Protection Policy**.

The procedure for dealing with any other staff complaints or employment grievances is set out in the school's **Capability and Disciplinary Procedure Policy for Academic Staff** or the **Disciplinary and Grievance Procedure Policy for Support Staff**.

Key Contact Details

These are listed via <http://www.eastbourne-college.co.uk/Contact-Us>. The second master and facilities bursar can be contacted via Reception.

References:

External:

- The Education (Independent School Standards) Regulations, 2014 (into force January 2015)
- ISI Handbook for the Inspection of Schools; Commentary on The Regulatory Requirements, September 2018

Internal

- Eastbourne College Terms and Conditions
- Eastbourne College Disciplinary and Exclusions Policy
- Eastbourne College Code of Behaviour (and several associated policies with regard to the expectations on pupil behaviour both in and out of school)
- Eastbourne College Rules

Date of this policy:	October 2018
Policy drawn up by:	CWS
Date of next policy review; Governors:	May 2019
Date for publication of revised policy:	May 2019

Annex to Complaints Policy

Pupil Complaints and Concerns

Introduction

At Eastbourne College we want everyone to feel part of a safe and happy community. From time to time, you may be worried or upset about something. This guide tells you about various people available to help you, so that you can choose someone you feel you can trust. The experience of pupils in this and other schools is that, no matter how bad the problem may seem to be, it is almost always a great help to talk about it.

Upsetting Events

Here are some examples of the kinds of thing which are upsetting and which we want to encourage you to talk to someone about:

- you are having difficulty with one or more of your school subjects
- you think that you may be ill and are too afraid or embarrassed to tell anyone
- you feel very depressed, or that life is not worth living
- you or your friends are being bullied or treated unkindly by another pupil
- you think that another pupil is not eating properly, or may be harming her / himself
- you are worried, angry or hurt about something happening at home
- you think that another pupil has done, or is about to do, something seriously wrong or dangerous
- you are caught in a serious situation that you don't know how to get out of eg to do with alcohol, drugs, money or sex
- you feel you are being treated unfairly simply because you are a boy or simply because you are a girl, or because of your colour or religion, or because you have a disability or learning difficulty, or because you are gay
- you feel that a member of staff has treated you unfairly eg in a punishment given or in favouring other pupils
- you feel that you are not given enough privacy or independence.

What you should do

If any of these things are happening, please talk to someone about it, even if you feel you can handle the situation. It may be that what's going on affects other people at school, or that you are unaware of all the different ways a problem can be tackled.

If you witness or experience something by a member of the public who is committing a crime, please get yourself to a position of safety and contact the Police on 999 with as much detail as possible. Information such as car registrations is important. Please then alert your hsm as soon as possible afterwards.

There are a number of different people who will be very happy to talk to you and to help you try to find a solution to the problem. It may help to talk first with another pupil who is a trusted friend. However, sometimes you may also need the help and support of an adult or professional. Choose

whoever you feel most comfortable and safe talking to: your tutor, housemaster / mistress and / or his / her partner, the deputy head (pastoral), the second master , the headmaster, the chaplain, a matron, a nurse in the Medical Centre or any member of staff.

We would expect one of these to be the first person you speak to if you have a complaint about the school or a member of staff as it is normally the quickest and most effective way to get to the heart of the problem and resolve it. However, if you do not feel able to speak to a member of staff, other people to talk to are:

- your parents or other relatives
- the school counsellor (Ms Sue Duffell 07703 174795; counsellor@eastbourne-college.co.uk)
- an older pupil at the school eg a school or house prefect
- a member of your in-house vertical group
- a peer listener in your house
- the school doctors (01323 452345)
- Child Line 0800 1111
- the Children’s Commissioner (020 7783 8330).

If you prefer, you can write to or email one of the people mentioned. Note that the counsellor is happy to make appointments to see you, in confidence, but it is normally a good idea to talk with your tutor and / or hsm first, in most cases, not least as the counsellor works part time normally through pre-booked appointments.

If you feel you need to report something directly to the Police or Social Services please try to think about talking this through with an adult you trust or ring East Sussex Duty and Assessment Team (01273 335905/6).

Confidentiality

The school understands that you may wish to talk about a problem only if it is kept secret. In many cases, this is possible, but there are three exceptions of which you should be aware:

- The headmaster is required by the governors to make sure he is aware of all issues affecting the safety and welfare of pupils at the school. This means that the headmaster will need to be kept informed by school staff of the broad nature (but not usually the details) of any serious health, safety or welfare issue of which they are aware. If your problem or complaint involves the headmaster, then one of the governors will be informed instead.
- The school has a legal duty to keep your parents/guardians informed about your welfare and progress at school. However, if you do not wish them to be informed, please say so, so that the options can be discussed with you.
- In any situation that involves the protection and safety of a child (you or someone else), adults are legally obliged to work together and share information (on a strict need-to-know basis) in the best interests of preserving the safety and welfare of that child.

Please do not let this stop you from raising complaints or saying when you are worried or upset. Most pupils who find the courage to speak up, say afterwards that it helped them enormously and that the problem did not seem quite as bad once they had a chance to talk it through with someone experienced and helpful.