



Defence
Children
Services

DCS Directive 3.2.8

Complaints Procedure for DCS Schools and Settings Overseas

DCS July 25 v 1.1

General

Authorisation	Hd DCS
Senior Responsible Owner	AH Cyprus and AH Rest of World (ROW)
Points of Contact	POLRA
Review Date	Sep 2027
Related Policy or Guidance	The Education Act 2002 DfE (Department for Education,) ‘Best Practice Guidance for School Complaints Procedures 2020’ JSP 441: Information Management JSP 831 Redress of Individual Grievances Service Complaints JSP 834: Safeguarding MOD Civilian Policy for Misconduct and Discipline MOD Civilian Policy for Grievance and Dispute Resolution DCS Directive 3.2.23 MOD Overseas Schools and Settings Admissions DCS Directive 3.2.9 Pupil Exclusion DCS Directive 7.1.2 Records Management
Annex A	Formal complaint form stage 2
Annex B	Formal complaint form stage 3
Annex C	Template letter for reporting the outcome of a formal complaint
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Annex G	Effective handling of complaint investigations and internal reviews
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Introduction

1. The procedures laid out in this document mirror the statutory requirements placed upon Schools and Settings in England's maintained education sector¹.

Aim

2. This Policy Directive² outlines the procedures that DCS Schools and Settings overseas are to follow in the management of complaints relating to their establishments.

Scope

3. Due to its location, Queen Victoria School (QVS) follows Scottish National statutory requirements. The QVS policy is accessed via the QVS website³. Please note that it is a statutory requirement within Scotland for all boarding Schools to make their complaints log available to the Care Inspectorate as part of an annual inspection.
4. This Policy Directive does not cover complaints procedures relating to:
 - a) **Special to type process.** Service Complaints see JSP 831, DBS Complaints process ([People Portal](#)).
 - b) **Admissions.** DCS personnel are directed to follow guidance contained in the DCS Directive 3.2.23 MOD Overseas Schools and Settings Admissions.
 - c) **Safeguarding.** Where a concern or complaint indicates that a child is at risk of harm, DCS School or Setting staff are to follow the procedures directed through JSP 834 Safeguarding, the DCS Policy Directive 3.2.1 Safeguarding and DCS Policy Directive 3.2.2 Managing Allegations relating to Children in DCS Schools and Settings Overseas.
 - d) **Pupil Exclusion.** DCS direction on appealing against decisions on pupil exclusion is contained in DCS Policy Directive 3.2.9 Pupil Exclusion.
 - e) **Whistleblowing.** DCS personnel are to follow MOD Civilian policy for Whistleblowing.
 - f) **Grievance.** DCS personnel are to follow MOD civilian policy for Grievance and Dispute resolution or the MOD civilian policy for Bullying, Harassment and Discrimination.
 - g) **Misconduct and discipline.** The MOD Civilian policy for discipline and misconduct applies to all DCS personnel. In addition to this, Soulbury and Teaching grades employed by DCS are subject to separate standards of conduct governed by England's National Teaching Standards.

Identifying a complaint

5. It is important to understand the difference between a complaint and a concern. A concern is defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought.'⁴ DCS Schools and Settings will resolve concerns through

¹ Section 29 of the Education Act 2002 requires maintained Schools and Settings to provide a procedure for managing internal complaints.

² This Policy Directive has been considered against the Public Sector Equality Duty and an Equality Analysis Impact Assessment (EQIA) has been conducted and is available on request.

³ [Link](#)

⁴ DfE Best practice guidance for School Complaints Procedures 2020.

day-to-day communication as far as possible. Early and informal resolution will reduce the likelihood of a concern developing into a complaint.

6. A complaint is defined as ‘an expression or statement of dissatisfaction, however made, about actions taken or a lack of action’⁵ Complaints will be managed informally where possible and at the earliest possible stage.

The complaints policy process

Informal stage

7. The informal stage is where complaints and concerns are raised and responded to directly by the School or Setting. Discussions can be an effective way to quickly resolve issues.
8. Concerns and complaints will be addressed quickly by communicating with the child's class teacher, or in Secondary Schools, the relevant subject teacher or form tutor. The teacher will make every effort to address and resolve issues informally. The School or Setting office can be contacted to arrange a meeting.
9. If concerns and complaints have not been satisfactorily addressed by the member of staff, these should be escalated to a more senior School or Setting leader. This could be the Assistant Head Teacher (AHT), Deputy Head Teacher (DHT), or Head Teacher (HT), or in a Setting the Deputy Manager or Setting Manager. It should be clearly explained what the complaint is, the action already taken and why it has not been resolved and what the desired outcome is. The senior leader will informally investigate the matter and respond, if required, with appropriate explanation and action.
10. If the complaint is about the actions of a Head Teacher, Setting Manager, or other whole School or Setting issue, the first step is to attempt to resolve it through informal discussion or correspondence with the Head Teacher or Setting Manager.

Formal complaint stage 1

11. The Formal Complaint Stage requires all complaints and concerns to be raised in writing. Complaints at **Stage 1** will normally be reported to the Head Teacher or Setting Manager. You can expect a response within **3 working days**.
12. Head Teachers must maintain a complaints tracker (**see Annex H**) in the School or Setting with relevant details being held on a pupil's file.
13. If the complaint is about the Head Teacher or Setting Manager, the complaint at **Stage 1** is raised with the Chair of the School Governance Committee (SGC) who as a volunteer will respond within **10 working days**.
14. The SGC Chair will inform the District Assistant Head (AH) of the complaint who will record the details on the District Complaints Tracker (**Annex H**).

Formal complaint stage 2

15. If the **Stage 1** complaint remains unresolved, the complaint can be escalated at **Stage 2**,

⁵ DfE Best practice guidance for School Complaints Procedures 2020

to the SGC Chair using the Formal Complaint form – Stage 2 at **Annex A**. The SGC Chair may choose to convene a panel of SGC members to review the complaint. The SGC Chair will review the complaint and may wish to speak to the complainant. The SGC Chair will consider all evidence and make a recommendation for resolution (**Annex G** - Guidance on the Effective Handling of Complaint Investigations and Internal Reviews provides useful guidance on handling the complaint).

16. You will receive a response within **15 working days**. If you remain dissatisfied, then a **Stage 3** complaint may be raised.
17. The SGC Chair will inform the District AH of the complaint who will record the details on the District Complaints Tracker.
18. For complaints referred to the SGC Chair at **Stage 1** (those directly related to the Head Teacher or Setting Manager), the complaint must be escalated directly to **Stage 3**.

Formal complaint stage 3

19. A Stage 3 the complaint is raised using the Formal Complaint Form Stage 3 at **Annex B** and sent to RC-DCS: RC-DCS-SS-Complaints@mod.gov.uk. The Schools and Settings Business Support Officer will acknowledge this via e-mail within 3 working days. The District AH will appoint a Decision Manager, to investigate the complaint. The Decision Manager will consider all the evidence and make recommendations for a resolution (The Decision Manager will follow the investigator guidance detailed in **Annex G**).
20. The Decision Manager will write to the complainant with the outcome (see **Annex C**) within 20 working days after the decision manager has made initial contact with the complainant. If it is not possible to provide a substantive reply within this timeframe (e.g. because of the complexity of the complaint), then a holding reply will be sent explaining the reason for the delay and indicating a new timeframe.

Appeal

21. If the complainant remains dissatisfied and there is additional evidence for consideration, an appeal can be made in writing to the District AH using the Formal Complaint Appeal Form at **Annex D**. The District AH will appoint an Appeal Manager including any additional appropriate evidence, completing the template at **Annex E**. The District AH and AH EducStandPD can be the Appeal Manager if appropriate. The Appeal Manager will provide a written response to the Formal Complaint Appeal outcome using **Annex F**. You can expect a response within 40 working days of the Appeal Manager contacting you. Please note that this is the final stage of the process.
22. All Formal Stage 3 complaints and appeals will be logged on the DCS Central Complaints register managed by the Schools and Settings Business Support Officer. Should the complaint lead to a full investigation, all information will be stored in the MODNet Complaints limited area and the Investigating Officer assigned will only be granted access to the document library for the period the complaint is open. The data should be stored in accordance with the DCS Policy Directive 7.1.2 Records Management.⁶

⁶ [Link](#)

Complaint window

23. To enable appropriate investigation, complaints must be raised as soon as possible within **3 months** of the incident or last incident. In exceptional circumstances a complaint may be accepted outside this deadline. The decision as to whether to accept the complaint sits with DCS and there is no right of appeal.

24. A breakdown of timeframes can be seen in the table below:

Complaint window timeframe			
Stage	Whom to report to	Response time	Remarks
Formal Complaint - Stage 1	Head Teacher / Setting Manager	3 working days	
Formal Complaint - Stage 1	Chair of the School Governance Committee (SGC)	10 working days	If a complaint involves a Head Teacher or Settings Manager
Formal Complaint - Stage 2	SGC Chair	15 working days	Using Annex A
Formal Complaint - Stage 3	District AH will appoint a Decision Manager	20 working days	Using Annex B and emailed to: RC-DCS-SS-Complaints@mod.gov.uk
Appeal Stage	District AH	40 working days	Using Annex D

Further considerations:

25. To maintain impartiality, the SGC Chair should not be directly involved with the complaint at Stage 1, unless it is in relation to the Head Teacher or Setting Manager. If the complaint is about the Head Teacher or Setting Manager, then the SGC Chair may delegate actions related to the complaint but retains accountability for a response to the complainant. All matters concerning the complaint should be retained confidentially and in line with MOD guidance JSP 441 Information, Knowledge, Digital and Data Defence.

26. The limited number of senior staff within DCS may result in the Decision Manager's line manager taking on the role of Appeal Manager. To maintain impartiality, the line manager will ensure another suitable and impartial member of staff will provide oversight and support to the Decision Manager.

27. At each stage in the procedure, it is important to identify ways in which a complaint can be resolved, and the issue successfully concluded.

28. If conduct, performance, or other HR Civilian procedures are invoked because of the complaint, the details of the actions and outcomes of them will remain confidential. However, it is permissible for the complainant to be informed that appropriate action is being taken under MOD/DCS procedures.

29. Although it is anticipated that all parties involved in the complaint will maintain effective working relationships, it is possible to request mediation. For this to proceed, all parties must agree to participate.

Financial compensation

30. DCS Schools and Settings do not pay financial compensation in response to any complaints.

Serial and unreasonable complaints

31. DCS are committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. There will not normally be limits to the contact complainants have with Schools and Settings. However, DCS staff will not tolerate unacceptable behaviour, and action will be taken to protect staff from conduct, which is abusive, offensive or threatening. DCS follows DfE guidance on serial and unreasonable complaints, defining unreasonable behaviour as that which hinders consideration of complaints because of the frequency or nature of the complainant's contact.
32. All DCS personnel are entitled to dignity at work and any complaints made should not involve abuse, intimidating behaviour, or defamation of character through any method, including online. In the event of abuse or threatening behaviour on the School or Setting premises, the complainant may be asked to leave the area. While DCS personnel are directed to follow the MOD Civilian policy for grievance and dispute resolution or similar local employment policies, the local military Chain of Command can be involved at an earlier stage to help resolve matters and take appropriate action. Depending on the nature of the unacceptable behaviour, support from the police and other appropriate agencies may be requested.
33. There may be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, DCS will inform them in writing that the procedure has been exhausted and that the matter is closed. However, if the complainant remains dissatisfied, they should raise a Service Complaint if they are Military Personnel or raise a Grievance following MOD policy if they are civilian staff.

Formal complaint form: Stage 2

Official-Sensitive Personal when complete

Please complete this form with as much relevant detail as possible and attach any additional documentation. Once complete, please send to the School or Setting's Chair of the School Governance Committee (SGC).

Section 1: Personal details

Your name:	
Child's name:	
School or setting:	
Class/year:	
Relationship to child:	
Address:	
Telephone:	
Email:	

Section 2: Complaint

Please provide details of the complaint, including dates and other key information.

What action, if any, have you already taken to try and resolve your complaint?

What response, if any, has there been to your complaint?

Please list any additional paperwork you include to support your complaint.

Section 3: Outcome

Please specify the desired actions and outcomes that you seek to resolve your complaint.

Section 4: Complainant's signature

By adding my electronic signature, or by typing my name, I am signing this form as confirmation of my understanding of Section 5. I am confirming, to the best of my knowledge, the information in this form is correct.

Signature:			
Full Name:		Date:	

Section 5: Information sharing and data protection

The personal data collected will be processed by DCS in accordance with the Data Protection Act 2018, the MOD Privacy Notice and DCS Policy Directive 7.1.2 Records Management. DCS will hold, and use, your personal data under the public duty of the MOD to provide support to its personnel regarding the educational and welfare requirements of their children. When required, DCS may share your data with appropriate external organisations and individuals who are required to be involved to investigate and resolve your complaint.

Formal complaint form stage 3

Official-Sensitive Personal when complete

Please complete this form with as much detail as is relevant and attach any additional documentation. Once complete, please send to DCS HQ using the following email address:

RC-DCS-SS-Complaints@mod.gov.uk

Section 1: Personal details

Your Name:	
Child's Name:	
School or Setting:	
Class/Year:	
Relationship to Child:	
Address:	
Telephone:	
Email:	

Section 2: Complaint

Please give details of the complaint, why this has not been resolved and what new evidence you would like to be considered.

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Please give details of any additional paperwork you include to support your complaint and submit with this form. Please include the Formal Complaint and the outcome of this.

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Section 3: Outcome

Please specify the desired actions and outcomes that you seek to help resolve your complaint.

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Section 4: Complainant's signature

By adding my electronic signature, or typing my name, I am signing this form as confirmation of my understanding of Section 5. I am confirming, to the best of my knowledge, the information within this form is correct.

Signature			
Full Name		Date	

Section 5: Information sharing and data protection

The personal data collected will be processed by DCS in accordance with the Data Protection Act 2018, the MOD Privacy Notice and DCS Policy Directive 7.1.2 Record Management. DCS will hold, and use, your personal data under the public duty of the MOD to provide support to its personnel regarding the educational and welfare requirements of their children. When required, DCS may share your data with appropriate external organisations and individuals who are required to be involved in order to investigate and resolve your complaint.

Template letter for reporting the outcome of a formal complaint

Please insert on headed paper
Official-Sensitive Personal when complete

Dear *Parent*,

Formal complaint appeal about [subject of complaint] in [school/setting]

Thank you for your complaint which I received on From your correspondence, it is clear that you are dissatisfied with the actions taken so far to resolve your complaint at the informal stage. As a result, I have investigated your concerns following DCS formal complaints procedure.

You complain that:

Summary of complaint to be stated. State each point separately.

To investigate this complaint, I commissioned an Investigating Officer who *(list the activities undertaken such as the following which can be deleted/amended as appropriate)* contacted you as complainant to ensure full understanding of the complaint, interviewed the class teacher, Learning Support Assistant, your child, and other children who were witnesses. The Investigating Officer reviewed the DCS policy to check for compliance and the written notes and e-mails exchanged between you and the class teacher.

The investigation has now been completed and I have worked together with the School Governance Committee panel to review and consider the complaint, taking appropriate advice where required. The outcomes of this are outlined below:

- 1) Concerning your complaint thatthis complaint has been upheld/partially upheld/is not upheld. The reason for this decision is *(list detail behind the investigation and decision making)*.
- 2) Concerning your complaint that this complaint has been upheld/partially upheld/is not upheld. The reason for this decision is..... *(list detail behind the investigation and decision making)*.

**Add additional information or delete as appropriate)*

As a result of this investigation and decision making, the following actions will be taken / no actions will be taken *(depending on the outcome)*.

Action	Who	Timeline
List action to be undertaken	By whom	Indicative timeline
List action to be undertaken	By whom	Indicative timeline

**Add or delete as appropriate*

OFFICIAL

The Formal Complaint you raised has been investigated thoroughly and I would like to re-assure you that any actions identified will be taken. Although you may not agree with all the findings and actions agreed by the Complaint's Panel, I am hopeful that you will appreciate the time dedicated to investigating and considering your complaint and that this helps address your concerns.

If you are not satisfied with the outcome from this complaint and have additional evidence which you would like to have considered, there is a further and final stage of the complaints procedure that you can follow. This is the Appeal process, and details are provided in this Policy Directive.

Finally, I would like to express my *(edit as appropriate)* apologies for the distress this has caused you and your family and hope that some positives will emerge going forward through the actions which are being addressed/hope that my investigations have provided re-assurance on your concerns and that *School and/or Setting* can move forward in partnership with you to provide an excellent education for your child.

Yours sincerely,

Chair of the Complaint's Panel

Formal complaint appeal form

Official-Sensitive Personal when complete

Please complete this form with as much detail as is relevant and attach any additional documentation. Once complete, please send to DCS HQ using the following email address:
RC-DCS-SS-Complaints@mod.gov.uk

Section 1: Personal details

Your name:	
School or setting:	
Class/year:	
Relationship to child:	
Address:	
Telephone:	
Email:	

Section 2: Complaint

Please provide details of the complaint, and the outcome

Please state why you are dissatisfied with the outcome and detail further information you wish to be considered

Complaint appeal investigation templatePlease insert on headed paper
Official-Sensitive Personal when complete

Complaint subject:	
School or setting:	
Complaint ref no:	
Complaint submitted by:	
Date submitted:	
Investigation activities completed by the investigating officer	

Complaint 1:

List complaint detail
Detail of the findings

Complaint 2:

List complaint detail
Detail of the findings

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Complaint 3:

List complaint detail		
Provide detail of the findings		
Recommended actions for the consideration of the complaint panel:		
Action	Who	Timeline

Report completed by:

Name	
Role	

OFFICIAL

Signature		Date	
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Template letter for reporting the outcome of a formal complaint appeal

Please insert on headed paper
Official-Sensitive Personal when complete

Dear(Parent),

Formal complaint appeal about [subject of complaint] in [school/setting]

Thank you for your complaint which I received on From your correspondence, it is clear you remain dissatisfied with the actions taken so far to resolve your complaint and that you have additional evidence which you would like to have considered. As a result, I commissioned an investigation into your concerns following DCS formal complaints procedure.

You complain that:

Summary of complaint. State each point separately.

The investigation of the complaint included *(list the activities undertaken such as the following which can be deleted/amended as appropriate)* contacting you as complainant to ensure full understanding of the additional evidence in the complaint, reviewing the Joint Service Publication (JSP) for compliance and interviewing the Head Teacher and the AH Teacher. The prior communications at the Informal and Formal Complaint Stage were also reviewed.

The investigation has now been completed and I have reviewed and considered the complaint, taking appropriate advice where required. The outcomes of this are outlined below:

- 1) Concerning your complaint that this complaint has been upheld/partially upheld/is not upheld *(delete as appropriate)*. The reason for this decision is.....*(list detail behind the investigation and decision making)*.
- 2) Concerning your complaint that this complaint has been upheld/partially upheld/is not upheld *(delete as appropriate)*. The reason for this decision is.....*(list detail behind the investigation and decision making)*.
- 3) *Add additional or delete as appropriate.*

As a result of this investigation and decision making, the following actions will be taken :.....
/no action will be taken. (depending on the outcome)

Action	Who	Timeline
List action to be undertaken	By whom	Indicative timeline
List action to be undertaken	By whom	Indicative timeline

(Add or delete as appropriate)

This complaint has been investigated robustly and I would like to re-assure you that any actions identified will be taken. Although you may not agree with all the findings and actions I have

OFFICIAL

concluded, I am hopeful that you will appreciate the time dedicated to investigating your complaint and hope that this helps address your concerns. As outlined in the DCS Policy Directive 3.2.8 Complaints Procedure for DCS Schools and Settings Overseas, this is the final stage and there is no further possibility of appeal.

Finally, I would like to express my *(edit as appropriate)* apologies for the distress this has caused you and your family and *hope that some positives will emerge going forward through the actions which are being addressed / hope that my investigations have provided re-assurance on your concerns (delete as appropriate)* and that *School / Setting (delete as appropriate)* can move forward in partnership with you to provide an excellent education for your child.

Yours sincerely,

Hd DCS
HQ DCS Upavon

Effective handling of complaint investigations and internal reviews

Purpose

1. There are four aims of an investigation or an internal review into a complaint:
 - a. To identify the facts, events and actions surrounding a complaint
 - b. To clarify the causes of those events and the reasoning behind any decisions taken
 - c. To come to a conclusion as to whether the complaint is justified and
 - d. To propose steps to resolve the complaint
2. No matter what the result of the complaint, the outcome of the investigation or review should ideally leave the complainant satisfied that their concerns have been addressed and their point of view given a fair hearing.
3. Some complainants are unlikely to be satisfied by an outcome which does not accept their complaint in full, and others may be hostile to the Department. In these cases, the response to the complaint or report of the review should be sufficient to convince an impartial observer that DCS has given the complainant a fair hearing, taken their complaint seriously, and reached a fair conclusion which is supported by the evidence.

Principles

4. **Thoroughness:** It is important to ensure that all the facts relevant to the case are uncovered and examined. For an investigation, this may mean examining documents, emails, rules and procedures as well as interviewing people who are involved.
5. **Constructiveness:** The purpose of the investigation is to discover what has happened and why, to make recommendations for redress if required, and to learn any lessons for the future. If mistakes have been made, they should be identified and rectified.
6. **Impartiality:** The investigation needs to take an objective view of the complaint received. This will have a bearing on who should conduct the investigation to ensure that the investigators/reviewers give complainants a fair hearing.

Timescales

7. Every effort should be made to ensure that investigations are conducted as quickly as possible. An extended process can cause difficulties. Evidence becomes less reliable as people's memory of the event fades and delays may lead to further complaints. The uncertainty may also impact on the people involved.

Conducting the investigation

8. The following must be considered:

- a. The elements of the complaint being investigated.
 - b. If it is more suitable for some complaints to be handled by another department e.g. relating to Freedom of Information (FOI) or Data Protection.
 - c. If face to face /online meetings between the complainant and the subject of the complaint is appropriate, it can be considered.
 - d. Any supporting evidence to create a complete picture e.g. DCS Policy Directives, Standard Operating Procedures (SOPs) local procedures, correspondence, notes of meetings or archived material relating to the complaint.
- .
9. The purpose of an investigation is not to apportion blame but to discover what has happened and the circumstances around what has taken place. It must be ascertained if procedures are not working effectively or being incorrectly implemented. Staff members involved in meetings as part of the investigation or review may request that their trade union representative, colleague or manager accompany them, and it must be ensured that they feel at ease. It is essential to probe and clarify any points, but the style should always be objective and non-accusatory. Notes of each meeting should be made and filed securely.

Coming to a decision

10. For each element of a complaint, the investigator should, (having satisfied themselves, that all evidence has been reviewed and all relevant interviews conducted,) decide whether the complaint is upheld, partially upheld, or not upheld.
11. If the complaint is upheld, or partially upheld, what appropriate action may be taken to rectify the error - this may be an apology, or it may involve action to put the complainant in the position they would have been in had the error not occurred.
12. If the complaint is upheld, or partially upheld, whether there are procedural lessons that DCS should learn from the complaint, and if anything needs to change.
13. If the complaint is not upheld, an explanation of why and the evidence to support the decision should be provided.
14. If it is upheld or partially upheld, it is appropriate for the Department to apologise and to rectify the error. If further redress is sought, the guidance in paragraphs 32-34 should be considered.

After the investigation

15. Once the complaint review is concluded, DCS will not normally engage in further correspondence with the complainant regarding the complaints investigated. In particular, there should be no further discussion of the conclusions or judgements contained in the report. If the complainant continues to write, a single response should be sent explaining that the investigation has concluded, and that the complainant has the right to appeal as specified within this Policy Directive.
16. However, a further response may be needed if there are questions regarding points of fact contained in the report of the investigations.

Complaints tracker template

[illegible]