



Ribston Hall High School

Complaints Policy

Date of Policy: September 2019

Date of next review: September 2020

Person responsible: Headteacher

Introduction

Ribston Hall High School (the 'School') endeavors to provide the best education possible for all of its students. Where concerns are raised, the School intends for these to be dealt with fairly, openly, promptly and without prejudice, and parents can be assured that all concerns and complaints will be treated seriously and confidentially. The following procedure explains what you should do if you have any concerns about the School.

This policy applies to any matter which has been raised with the School by the parents of current students as a matter of concern but which has not been capable of resolution informally and which the complainant or the School considers should be dealt with on a formal basis. This procedure is not, however, available for use by prospective parents.

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

Complaints that have been raised by persons who are not parents of students currently at the School will **not** be dealt with in accordance with the framework below. Any such complainant should seek to resolve their complaint informally with the Headteacher. If this fails, then the complaint should be put in writing and addressed to the Chair of Governors at the School. The Chair will acknowledge receipt and issue a final written response within 15 school days.

Within our procedure we differentiate between a concern and a complaint. The following procedures have been put in place to deal with concerns and formal complaints. In most cases, concerns will be dealt with by staff before they reach the stage of a formal complaint.

Aims

Our school aims to meet its statutory obligations when responding to complaints from parents of students at the school, and others. Our complaints' procedure aims to:

- be impartial and non-adversarial
- facilitate a full and fair investigation by an independent person or panel, where necessary
- address all the points at issue and provide an effective and prompt response
- respect complainants' desire for confidentiality
- treat complainants with respect and courtesy
- ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- keep complainants informed of the progress of the complaints process
- consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full. To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

At each stage in the procedure we aim to investigate the issues raised fully to ensure that we can:

- communicate with the complainant confirming receipt of the complaint, confirming the process and clarifying any further information if required
- establish what has happened so far, and who has been involved
- clarify the nature and details of the complaint
- clarify what action the complainant hopes to see to address the complaint.

Actions that are likely to be taken will include an interview of those involved in the matter and/or those complained of, allowing them to be accompanied if they wish. The interview will be conducted with an open mind and notes will be kept.

At each stage in the procedure we will consider how an issue might be resolved. The complainant will be encouraged to state what actions he/she feels might resolve the problem. We will aim to identify areas of agreement and clarify any misunderstandings. In resolving issues, if it is found that there is a valid complaint then it may be appropriate to offer one or more of the following:

- an acknowledgement that the complaint is valid;
- an apology;
- an explanation;
- an admission that the situation could have been handled differently or better;
- an explanation of the steps that have been taken to ensure that it will not happen again; and
- an undertaking to review school policies in light of the complaint within a reasonable timescale.

Process for Concerns

The school intends to resolve complaints informally where possible, at the earliest possible stage. In the majority of instances where a concern has been raised (with a member of staff) we aim to resolve the issue to the satisfaction of all parties involved without the need for formal procedures. The concern may be conveyed orally or in writing either as an email or letter.

We aim to acknowledge and, where possible, respond to all concerns within 48 hours. We recognise some will require further investigation and these will be resolved as quickly as possible.

When a concern is addressed to the Headteacher, she will determine how best to respond and may delegate responsibility for responding to another member of staff.

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint.

When concerns are resolved, the outcome is usually confirmed in writing.

Complaints

The school defines a complaint as a written expression of dissatisfaction or disquiet or a concern which it has not been able to resolve to the satisfaction of the person who raised it originally.

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time, we will consider them to have been received on the next school day.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

When initial attempts to resolve a concern have been unsuccessful and the person raising the issue remains dissatisfied and wishes to take the matter further, formal procedures will need to be invoked.

Our complaints' procedure has three stages:

- Stage 1: Complaint heard by Senior Leader (or Headteacher if applicable)
- Stage 2: Complaint heard by the Headteacher (or Chair of Governors if applicable)
- Stage 3: Complaint heard by a Governors' Complaints' Appeal Panel

Stage 1 Complaint heard by Senior Leader or Headteacher

All formal complaints should be addressed to the Headteacher in writing. A complaint form must be completed to ensure consistency and record keeping, and to allow the complainant to confirm the details of their complaint in writing and to state what action they hope to see to rectify the complaint. This form will be required to be completed even if a complaint was initially made in person, by telephone or by email.

At Stage 1 the Headteacher will use the complaint form to ensure that they have all relevant information and may refer the complainant to the appropriate Senior Leader whose role is to:

- clarify the nature of the complaint and what remains unresolved;
- establish what has happened so far, and who has been involved;
- meet with the complainant or contact them (if further information is necessary);
- clarify what action the complainant hopes to see to rectify the complaint;
- explain the complaints' procedure and provide a copy for the complainant;
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- keep notes of the interview(s);
- reply to the complainant;
- send a record of the complaint to the complainant and to the Headteacher.

In most circumstances this process should take no longer than 10 school working days from receipt of the complaint. However, where further investigations are necessary, new time limits may be set and the complainant will be sent details of the new deadline and an explanation for the delay.

If the first approach is made to a Governor, the Governor should refer the complainant to the appropriate person as stated in this process and advise them about the procedure. Governors should not act on individual complaints outside the formal procedure or be involved in the early stages in case they are required to sit on a panel at a later stage.

If the complaint concerns the Headteacher, a Senior Leader should refer the complainant to the Chair of Governors.

If the complaint concerns the Chair of Governors or any individual Governor it should be made in writing to the Clerk to the Governing Body.

Stage 2 Complaint heard by the Headteacher or Chair of Governors

Complaints not involving the Headteacher:

In the event that the complainant is dissatisfied with the way the complaint was handled or the outcome of the Stage 1 procedure, the issue should be referred to the Headteacher who:

- will review the action taken by the Senior Leader and repeat any stage which she feels is appropriate;
- may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

In most circumstances this process should take no longer than 10 school working days. However, where further investigations are necessary, new time limits may be set and the complainant will be sent details of the new deadline and an explanation for the delay. Following investigation the Headteacher should write to the complainant notifying them of the outcome of their review and the next stage of the complaints' procedure.

Complaints involving the Headteacher

If the complaint is about the Headteacher, the complainant should write to the Chair of Governors to request that their complaint is considered further.

The Chair of Governors will:

- review the actions taken by the Senior Leader and repeat any stage which he/she feels is appropriate;
- may delegate the task of collating the information to the Clerk to the Governing Body or another Governor, but not the decision on the action to be taken.

In most circumstances this process should take no longer than 10 school working days. However, where further investigations are necessary, new time limits may be set and the complainant will be sent details of the new deadline and an explanation for the delay. Following investigation the Chair of Governors should write to the complainant notifying them of the outcome of their review.

Stage 3 Complaint heard by the Governors Complaints Panel

If the complainant continues to be dissatisfied with the outcome following the previous two stages, he/she should write to the Chair of Governors giving details of the complaint and the reason why he/she is of the opinion that the previous outcome was flawed. The Chair may then decide to convene a Governors Complaints Panel.

The Governors Complaints Panel is the last school-based stage of the complaints process. The Panel will be made up of 3 members, 2 from the Governing Body (drawn from a list of 5 Governors) and 1 member who is independent of the management and running of the school.

Individual complaints will not be heard by the whole Governing Body at any stage, as this will compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

Governors Complaints Panel Procedures

The Panel will:

- Determine whether the complaint should be dismissed in whole or in part;
- Determine whether the complaint should be upheld in whole or in part;
- Determine whether the appropriate action has been taken in response to the complaint;
- Make any appropriate recommendations regarding complaint handling and any action to be taken in response to the complaint;
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

The Clerk to the Governors will:

- Set the date, time and venue for a hearing, invite the complainant if appropriate depending on the nature of the complaint, allow for a parent to attend (and be accompanied) if he/she wishes, and invite any other parties required, ensuring the dates are convenient to all parties and that the venue and proceedings are accessible;
- Collate in date order any written material and send it to the parties in advance of the hearing;
- If required, meet and welcome the parties as they arrive at the meeting;
- Record the proceedings;
- Notify all parties of the Panel's decision;
- Share copies of the Panel meeting minutes with all parties involved in the panel hearing and provide a reasonable opportunity for the minutes to be agreed and if necessary challenged.

The nominated Chair of the Governors Complaints Panel will:

- Check that the correct procedure has been followed;
- Notify the clerk to arrange a panel if a hearing is requested.

The Chair of the Governors Complaints Panel will ensure:

- The remit of the panel is explained and, if any other parties are invited, will ensure each party has the opportunity of putting their case without undue interruption;
- The issues are addressed;
- Key findings of fact are made;
- Parents and others who may not be used to speaking at such a hearing are put at ease;
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- The Panel is open minded and acting independently;
- No member of the Panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- Each side is given the opportunity to state their case and ask questions;
- Written material is seen by all parties.
- If a new issue arises, all parties are given the opportunity and time to consider and comment on it.

- Agree the final decision with all member of the Panel and write formally the response to the complainant

This stage of the procedure will take longer than the previous stages because of the need to convene a meeting of governors.

We will aim to complete the process from receipt of the escalated complaint to notification of result as quickly as possible. We will try to complete it within twenty school working days of the date the Chair makes the decision to convene a Governors Complaints Panel.

Unresolved complaints

We will make our best endeavours to resolve a complaint. However, we recognise that there will be occasions when, despite all stages of the procedure having been followed, the complainant remains dissatisfied. The complainant can refer the matter externally to the Local Authority or Department for Education or other appropriate authority.

The final stage of the appeal is to the Education and Skills Funding Agency (ESFA). Complainants wishing to take their complaint to this stage should write to the ESFA at Earlsdon Park, 55 Butts Road, Coventry, CV1 3BH.

The ESFA will examine if the school's complaints procedure and other policies were followed in accordance with the provisions set out and check if they adhere to education legislation. However, the ESFA will not investigate the substance of the complaint.

Unreasonable complaints

A complaint may be regarded as unreasonable if the parent:

- Acts maliciously;
- Aggressively, using threats, intimidation or violence;
- Uses abusive, offensive or discriminatory language;
- Makes defamatory statements;
- Makes personal statements upsetting to staff and/or governors;
- Makes statements known to be false; or
- Publishes information or threatens to publish information in newspapers and/or on social media such as on websites.

A complaint may also be considered unreasonable if the parent:

- Refuses to co-operate with the complaints investigation process whilst still wishing their complaint to be resolved, including refusing to articulate any aspect of their complaint despite offers of assistance;
- Refuses to accept that certain issues are not within the scope of a complaints procedure;
- Insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice;
- Introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- Makes unjustified complaints about staff who are trying to deal with the issues and/or seeks to have them replaced;

- Changes the basis of the complaint as the investigation proceeds;
- Makes excessive demands on school time by either frequent, lengthy, complicated and/or stressful contact with staff regarding the complaint;
- Repeatedly makes the same complaint and/or refuses to accept previous findings (despite investigations or responses concluding that the complaint is groundless or has been addressed);
- Repeatedly copies other people in to the complaint despite being informed who to contact;
- Seeks an unrealistic outcome; or
- Makes a complaint to an external organisation before the completion of the School's complaints process in circumstances where the School's internal complaints process must be concluded first.

Where, at any stage, a complaint is deemed by the Headteacher (or Chair of Governors if about the Headteacher), to be unreasonable, the School may take any of the following actions:

- Implement a limited communications strategy;
- Advise that a third party act on the parent's behalf; and/or
- Notify the parent that the complaint procedure will not be implemented and that there will be no further response to their complaint.

Where aggression or abusive behaviour has been used, the School may:

- Ask the parent to leave the School premises;
- Inform the police; and/or
- Bar them from being on the School premises.

Monitoring and evaluation

The Headteacher will record the number of formal complaints, monitor procedures and produce reports for the Governing Body. Complaints information shared with the Governing Body will not name individuals in case an appeals panel is required.

The Governing Body will review our School Complaints' Procedure annually. The Governing Body will take account of any new guidance or legislative changes introduced by the Department of Education.

The Governing Body will review the outcomes on a regular basis to:

- evaluate the school's performance;
- ensure the effectiveness of our complaints' procedure;
- identify underlying issues that need to be addressed;
- make changes where necessary.

Ribston Hall High School Formal Complaints Summary Timeline

Stage	Heard by	Time
1	Senior Leader or Headteacher	No longer than 10 school working days
2	Headteacher or Chair of Governors	Aim - to be within 10 school working days of the referral
3	Governor Complaints Panel	Aim - to be within 20 school working days of the decision of the Chair to convene a Governors' Complaints' Panel

Ribston Hall High School Formal Complaints Form

Name	
Name of student, year group and your relationship to them (where applicable)	
Contact address	
Contact telephone day	
Contact telephone mobile	
Contact email address	
Details of the complaint	
Action taken so far (including staff member who has dealt with it so far) or solutions offered	
The reason that this was not a satisfactory resolution for you	
What action would you like to be taken to resolve the problem?	

Signed:

Date:

Date received:

Signed: