



Ribston Hall High School

Complaints Policy

Date of Policy: February 2022

Date of next review: February 2023

Person responsible: Headteacher

Introduction

Ribston Hall High School (the 'School') endeavors to provide a high quality of education and pastoral care for its students. Where concerns are raised, the School intends for these to be dealt with fairly, openly, promptly and without bias, and parents and carers (referred to as 'parents') of the School can be assured that all 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 is consistent with the Education (Independent School Standards) (England) Regulations 2014 as amended. The School has also considered the Education and Skills Funding Authority (ESFA)'s guidance on handling complaints about academies.

Scope of this policy

This policy applies to any matter which has been raised with the School by the parents of current students as a matter of concern. Complaints by parents of former students will be dealt with under this policy only if the complaint was initially raised when the student to which the complaint relates was still registered as a pupil at the School. This policy is not available for use by prospective parents.

In addition, this policy is not available to complaints relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline, and
- Services provided by external suppliers (these should be directed to the supplier).

Please see our separate policies for procedures relating to these matters.

Complaints made by prospective or former parents, or others, 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 (or their nominee) will usually acknowledge receipt and issue a final written response within 15 working days.

Is it a concern or a complaint?

A concern is an expression of worry or doubt over an issue considered to be important for which reassurances are sought. If a concern is raised, then the School will endeavour to resolve it informally without recourse to this policy. If, however, a parent raises a complaint, that is an expression of dissatisfaction, then this complaints policy will apply. It is likely to arise if a parent believes that the School has done something wrong or has failed to do something that it should have done, or acted unfairly.

Parents can be assured that all concerns and complaints will be treated seriously and confidentially. The School is here for your child and you can be assured that your child will not be penalised for a complaint that you raise in good faith.

Aims

Our School aims to meet its statutory obligations when responding to complaints from parents of students at the School. Our policy aims to:

- be impartial and non-adversarial
- facilitate a full and fair investigation
- address all the points at issue and provide an effective and prompt response
- respect confidentiality (where necessary)
- treat parents with respect and courtesy
- make decisions that are lawful, rational, reasonable, fair and proportionate (in line with the principles of administrative law)
- keep parents informed of the progress of their complaint, and
- consider how their complaint can feed into school improvement evaluation processes.

A copy of this policy is available on the School website and upon request.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals. Parents should let the School know of any reasonable adjustments required as soon as possible.

At each stage in the procedure we will consider how an issue might be resolved. The parents will be asked to state what actions he/she feels might resolve the problem. We will aim to identify areas of agreement and clarify any misunderstandings. If it is found that one or more aspects of a complaint is/are upheld, then it may be appropriate to offer one or more of the following resolutions:

- an acknowledgement that the complaint (or part of it) is upheld
- 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 assurance or recommendation to review school policies, practices and/or

procedures in light of the complaint and within a reasonable timescale.

The three-stage complaints procedure

Our complaints procedure has three stages:

Stage 1 (informal): Complaint normally heard by Tutor, Class Teacher or Deputy Head

Stage 2 (formal): Complaint normally heard by the Headteacher

Stage 3 (formal): Complaint heard by a Complaints Panel.

Stage 1 (Informal complaint heard by Tutor, Class Teacher or Deputy Head)

The School will endeavour to resolve most complaints quickly and informally.

Parents should normally contact their child's class teacher or appropriate member of staff (such as the SENCO) in the first instance. Parents may raise a complaint in person, by telephone, by letter, email or via the complaint form. The complaint will be investigated and in the majority of cases, we hope that the matter will be resolved straightaway to the parents' satisfaction. If the member of staff cannot resolve the matter, it may be necessary for them to consult a Head of Department or Deputy Head.

In most circumstances this process will take no longer than 10 working days from receipt of the complaint. However, where further investigations are necessary, new time limits may be set and the parents will be updated on this.

If parents contact the Headteacher or a Governor (including the Chair of Governors) at this initial stage, they should be referred to the appropriate person (as above). However, if the complaint relates to the Headteacher or a Governor parents should complain directly to the Clerk to the Governing Body who will arrange for the appointment of a Governor to investigate (if considered appropriate) and resolve the complaint.

The member of staff (or Governor) dealing with the complaint will make a written record of the complaint and the date on which it was received.

If the matter cannot be resolved to the parents' satisfaction, then they will be advised that they can proceed with their complaint in accordance with Stage 2 of this procedure.

Stage 2 (Formal complaint heard by the Headteacher (or a Governor))

Complaints not against the Headteacher:

If the complaint cannot be resolved informally under stage 1, parents should put their complaint in writing to the Headteacher within 5 days of receiving the outcome of the informal complaint.

The Headteacher (or nominee) will usually meet or speak to the parents to discuss the complaint. Every attempt will be made to reach a resolution at this stage.

The Headteacher will review the action taken at stage 1. It may be necessary to carry out further investigations and the Headteacher may nominate a member of staff to do this. This may involve interviewing those involved in the matter and/or those complained of, allowing them to be accompanied if they wish. The Headteacher (or nominee) will keep written records of all meetings and interviews held in relation to the complaint.

Once the Headteacher is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The Headteacher will also give reasons for the decision and notify them of the next stage of the complaints procedure, if they remain dissatisfied.

In most circumstances this process should take no longer than 15 working days. Where further investigations are necessary, new time limits may be set and the parents will be updated on this.

Complaints against the Headteacher or a Governor:

If the complaint is against the Headteacher or a Governor, the parents should write to the Clerk to the Governing Body who will appoint an appropriate Governor to review the complaint as set out above.

Stage 3 Complaint heard by the Complaints Panel

If the parents continue to be dissatisfied with the outcome following stage 2 they may proceed to stage 3. To proceed with stage 3 the parents must write to the Clerk to the Governing Body within 5 days of receipt of the stage 2 decision, stating the grounds of their complaint and desired outcome(s).

The Clerk to the Governing Body will refer the complaint to the Chair of Governors who will, in turn, refer the matter to the Complaints Panel for consideration. On behalf of the Panel, the Clerk to the Governing Body will acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 15 working days.

Composition of the Complaints Panel

The Panel will be made up of three members, two of whom will be Governors of the School. The other member will be independent of the management and running of the school. None of the members will have been directly involved in the matters detailed in the complaint. The Panel will nominate one member of the Panel to be its Chair.

Parents are entitled to a fair review and can request an independent Complaints Panel if they believe there is likely to be bias in the proceedings. Parents should provide the Clerk to the Governing Body with evidence of bias in support of their request and the School will decide whether to agree to it. Persons who have a conflict of interest will not take part in the complaints process. If there is any reasonable doubt as to a person's ability to act impartially, they should withdraw from considering the complaint.

Before the Panel hearing

In consultation with the Chair of the Panel, the Clerk to the Governing Body will set the date, time and venue of the hearing. The Clerk to the Governing Body will communicate with the parents in this respect to ensure reasonable arrangements are in place to enable the parents to attend the hearing if they wish to do so. If the parent rejects hearing dates without good reason or the parent fails to attend the hearing, the hearing may proceed in their absence.

The Clerk to the Governing Body will also arrange for a hearing bundle to be collated and circulated to all parties at least 5 working days prior to the hearing. This should contain all information relied upon by the parties. The parents and the School should provide to the Clerk to the Governing Body all information it intends to rely upon 7 working days prior to the

hearing.

If possible, the Panel will resolve the complaint without the need for further investigation. If it is required, the Panel will decide how it should be carried out. If the Panel considers it necessary, it may require that further particulars of the complaint be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties normally not later than 5 working days prior to the hearing. The Panel will not review any new complaints or allow information unrelated to the original complaint to be included at this stage unless in the Panel's opinion this would be unfair. The Panel will not normally accept as evidence recordings of any conversations that were obtained covertly.

The hearing itself

The manner in which the hearing is conducted shall be at the discretion of the Panel and it will be held in private. Electronic recordings are not normally permitted unless a parent's disability requires it and the consent of all parties must be obtained. A note taker will be present; their role is to accurately record what is discussed and produce minutes after the hearing. The minutes are not intended to be a verbatim record.

The parents may attend the hearing and be accompanied by one other person if they wish. This may be a relative or friend. Legal representation will not be appropriate for any parties. Media representatives are not permitted to attend. Parents must confirm to the Clerk to the Governing Body who will be attending at least 5 working days before the hearing. The stage 2 decision-maker (i.e. the school representative) may also be asked to attend the hearing.

At the hearing, each party will have the opportunity to give statements and/or present their evidence, and witnesses (where appropriate and at the Panel's discretion) can be called to present evidence. The Panel will be given the chance to ask questions of the parents and the school representative(s). Once the parent and school representative(s) have presented their cases, they will be asked to leave and evidence will then be considered by the Panel.

Complaints Panel Outcomes

After due consideration of all the relevant facts, the Panel will make findings and may make recommendations. They 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, and
- Make any appropriate recommendations regarding complaint handling and any action to be taken in response to the complaint.

The Clerk to the Governing Body will ensure the Panel's decision along with the hearing minutes are provided to the parents without delay and within 5 working days of the hearing.

Overall, this final stage of the procedure is likely to take longer than the previous stages because of the need to convene a Panel hearing. We will aim to complete the process from receipt of the escalated complaint to notification of result as quickly as possible. We will complete it within 20 working days of receipt of the stage 3 complaint unless notified otherwise.

Throughout the process the Chair of the Complaints Panel will ensure that:

- The remit of the Panel is explained and attendees at the hearing have 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 direct 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 in advance of the hearing
- If a new issue arises, all parties are given the opportunity and time to consider and comment on it, and
- the Panel's decision is provided to the parents in writing in line with this policy.

Timeframes

The parents 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 timeframe 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.

Please note that, for the purposes of this policy, working days refers to weekdays (Monday to Friday) during term time, excluding bank holidays. This means that during School holidays it may take longer to resolve a complaint although the School will do what is reasonably practicable to avoid undue delay. It may also take longer to resolve a complaint during periods of significant disruption to School life or as a consequence of unavoidable staff absence, however deviation from the normal timescale for resolving a complaint during term time will only be permitted on an exceptional basis, and the School will take all reasonable steps to limit any such delay.

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

- Set new time limits with the parents, and
- Send the parents details of the new deadline and explain the delay.

Complaint campaigns

If the School becomes the focus of a campaign and receives large volumes of complaints all based on the same subject and from complainants unconnected with the School, we may publish a single response on our website and/or deal with common parts of the complaints together.

Further steps

If, following stage 3 above, the parents remain dissatisfied and attempt to reopen the same or similar issues, the complaint will be viewed as serial or persistent. The Chair of the Governing Body will inform them in writing that all stages of the complaints procedure have been completed and that the matter is now closed. Any further contact from the parents regarding

the complaint may not be responded to by the School.

If a parent wishes to take the complaint further, they may contact the Education and Skills Funding Agency (ESFA) on 0370 000 2288 or complete the form available at: www.education.gov.uk/contactus

The ESFA will consider complaints where there is:

- Undue delay or non-compliance with the School's own complaints procedure
- Failure to comply with a duty imposed by virtue of the School's Funding Agreement, and/or
- Failure to comply with any other legal obligation, unless there is another organisation better placed to consider the matter.

If the ESFA upholds a complaint, then it will not overturn the decision taken by the School. It may do one or both of the following:

- Ask the School to reconsider the complaint from an appropriate stage; and/or
- Ask the School to change its complaints procedure so that it complies with legal requirements.

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 parents expect 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.

Recording complaints

The School will make this policy available on its website. It will ensure that anyone who requests it is sent a copy of this policy and details of the number of complaints dealt with under the formal procedure during the preceding academic year.

A written record will be kept of all complaints and at what stage of the procedure they are resolved. The School will keep records of the following information:

- Date when the complaint was raised
- Names of parent/student
- Description of the complaint
- Records of the investigations
- Witness statements or notes from interviews with witnesses
- Name of staff handling the issue at each stage
- Any action taken by the School as a result of the complaint, and
- Copies of all correspondence.

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State for Education or a body conducting an inspection under s109 of the Education and Skills Act 2008 requests access.

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 where possible.

The Governing Body will review this policy annually in light of changes to relevant guidance and the law.

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

- evaluate the school's performance
- ensure the effectiveness of this policy
- identify underlying issues that need to be addressed, and
- make changes where necessary.

Ribston Hall High School Formal Complaints Summary Timeline

Stage	Heard by	Time
1	Tutor, Class Teacher or Deputy Head	10 working days
2	Headteacher or Governor	15 working days
3	Complaints Panel	20 working days

Ribston Hall High School - Formal Complaints Form

Name of Parent / Guardian	
Name of Student (include Year Group and Form Group)	
Address	
Contact Telephone Number	
Email Address	
Details of the Complaint	
Action taken so far (including who the initial complaint was referred to, how this was dealt with, and resolutions offered)	
The reason that the resolutions offered was not satisfactory:	
What actions would you like to be taken to resolve the problem? For example:	
<ul style="list-style-type: none">• an acknowledgement that the complaint (or part of it) is upheld• 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 assurance or recommendation to review school policies, practices and/or procedures in light of the complaint and within a reasonable timescale.	