



# Complaints Procedure Policy

Responsibility	Full Trust Board	
Status	Statutory	
Ratification date	13 07 2021	
Review cycle / date	1	Summer 2022
Reference	021/4	
Last updated	14 05 2021	

The school has a detailed Risk Register which the Trust Board uses to monitor and measure the impact of its decisions as well as informing its planning. To ensure that Risk Management permeates the working of the Trust Board, this policy is referenced in the Risk Register and the committee responsible for the policy should consider the “likeliness” and “impact” level for the appropriate risks

## **Contents**

<b>Complaints from parents of former students</b>	<b>3</b>
<b>Complaints by persons who are not parents of students currently at the school</b>	<b>3</b>
<b>Complaints from parents of current students</b>	<b>3</b>
<b>Stage 1 – Informal Resolution</b>	<b>3</b>
<b>Stage 2 – Formal Resolution (Investigation by a Nominated Individual)</b>	<b>4</b>
<b>Stage 3 – Formal Resolution (Panel Hearing)</b>	<b>4</b>
<b>Attendance at a Complaints Panel Hearing</b>	<b>5</b>
<b>Serial or persistent complainants</b>	<b>5</b>
<b>Record Keeping</b>	<b>5</b>
<b>Confidentiality</b>	<b>6</b>
<b>Education and Skills Funding Agency (ESFA)</b>	<b>6</b>
<b>Records of complaints and their outcome</b>	<b>6</b>
<b>Appendix 1: The Richmond upon Thames School - Stage 2 Complaint Form</b>	<b>7</b>
<b>Appendix 2: The Richmond upon Thames School - Stage 3 Complaint Form</b>	<b>8</b>

### **Complaints from parents of former students**

Where the complaints process has been started (but not completed) whilst parents have had children at the school, but the children have since left, the school should continue to follow this policy.

Where complaints have been started by parents of former students after they have left the school, albeit, about incidents that arose during the student's time at the school, the school at its own discretion may use the shorter complaints policy (included below).

This policy applies to any matter (other than matters which have a discrete statutory process, for example, admissions, exclusions, safeguarding, data protection) which has been raised with the school by parents of students as a matter of concern but which has not been capable of resolution informally and which the complainant or the school consider should be dealt with on a formal basis.

### **Complaints by persons who are not parents of students currently 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 Head Teacher who may delegate the response to a member of the senior leadership team or other person. If this fails then the complaint should be put in writing and addressed to the Head Teacher or Chair of Trustees at the school. The Head Teacher or Chair will acknowledge receipt and issue a written response within 20 school days. This is the final stage for a complaint raised by persons who are not parents of students currently at the school.

### **Complaints from parents of current students**

This policy must be made available to parents of students.

#### **Stage 1 – Informal Resolution**

Generally, it is expected that where the matter relates to a student it will have been raised with the student's academic tutor and head of year before a request is made to deal with it under this policy.

The school will seek to resolve matters at the informal stage within 20 school days of the issue being raised.

It is a precondition to the operation of this policy that the complainant shall have made reasonable attempts to seek an informal resolution and shall have acted in relation to the matter in a reasonable and measured way consistent with the school's behaviour code (parent code of conduct / behaviour policy) adopted from time to time. The Chair of Trustees shall have discretion, which will be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.

Where the matter is not resolved at the informal stage, the parent may elevate it to the formal stage.

Complaints are best dealt with as soon as possible after issues arise. If a parent has not brought a complaint to the attention of the school within 6 months of the date of the issue arising, the Chair of

Trustees shall have the discretion, which will be exercised reasonably, not to allow a complaint to be pursued.

### **Stage 2 – Formal Resolution (Investigation by a Nominated Individual)**

1. The complainant must put the complaint in writing on the Stage 2 complaint form (at appendices 1), addressed to the Head Teacher, setting out briefly the facts and stating what it is that the complainant considers should have been done or where the school has not met reasonable expectations.
2. An investigation will be carried out by a nominated individual identified by the Head Teacher as appropriate, who may offer the complainant a meeting and speak to others involved. Whenever reasonably possible, any meeting with the complainant will take place within 15 school days of the written complaint being received.
3. The investigator will put her/his findings in writing and will indicate what, if any, steps should be taken to resolve the matter. Whenever reasonably possible, this will be done within 15 school days of the meeting with the complainant and if no meeting is to take place within 25 school days of the complaint being received.

Any complaint relating to the Head Teacher must be raised in the first instance with the Chair of Trustees (or vice-chair in the absence of the Chair) who will, if an informal resolution cannot be reached, designate a trustee to investigate in the same way as in the first stage of the formal process outlined above.

Where a complaint is brought against a Trustee, the Chair of Trustees will investigate the complaint (or appoint another Trustee to do so) in the same way as in the first stage of the formal process outlined above.

If the complaint is against the Chair of Trustees, then the vice-chair will investigate the complaint (or appoint another Trustee to do so) in the same way as in the first stage of the formal process outlined above.

### **Stage 3 – Formal Resolution (Panel Hearing)**

1. If the complainant is not satisfied with the response of the investigator, she/he may request that the complaint be considered by the complaints panel of the Trustees which will comprise at least three people who have not previously been directly involved in the matter including one person who is independent of the management and running of the school. The request must be in writing, addressed to the clerk to the Trustees at the school, within 10 school days of the findings at Stage 2 being sent to the complainant and must set out briefly on the Stage 3 complaint form (at appendices 2) the reasons why the complainant is dissatisfied with the response.
2. The clerk will invite the school to put in writing its response to the complainant's reasons. The school will do this within 15 school days of receiving the request and at the end of that period (whether or not the school has responded), the clerk will convene a meeting of the complaints

panel of the governing body. That meeting will be held on school premises as quickly as practicable given the need to find a date that is reasonably convenient for the complainant, the school and the members of the panel. Whenever possible, the meeting will be held within 15 school days of the end of the academy's response time. At any meeting, the complainant will be entitled to be accompanied by a friend but legal representation will not be allowed.

3. The meeting is not a court case and will be as informal as circumstances allow. The complainant will have the opportunity to put forward her/his reasons for dissatisfaction and to enlarge on them but may not introduce reasons that were not previously put in writing. The school will have the opportunity to put its side of things and each side, as well as the panel members, will be able to ask questions. The complainant will have the opportunity to make final comments to the panel.
4. The panel may make findings and recommendations and a copy of those findings and recommendations will be
  - (i) sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about; and
  - (ii) available for inspection on the school premises by the school trust and the principal.
5. The panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days, and the clerk to the governors will notify all concerned.

#### **Attendance at a Complaints Panel Hearing**

The complaints panel will proceed irrespective of whether or not the complainant and/or their representative attend. If the complainant fails to attend on the day without compelling reasons, the complaints panel will still proceed in their absence and the process will continue to its conclusion. Any further attempt to re-open the matter will be considered as falling under the serial/persistent complaint section as below.

#### **Serial or persistent complainants**

If a complainant attempts to reopen an issue or a closely related issue that has already been dealt with under this complaints procedure, the Chair of Trustees may write to the complainant to inform him/her that the procedure has been exhausted and the matter closed, and that continued correspondence is vexatious and that the school trust will not respond to any further correspondence on this issue or a closely related issue.

#### **Record Keeping**

A written record will be kept of all complaints that were resolved at the formal stage of the complaints procedure. Records will contain details of whether the complaint was resolved at stage 2, or whether it proceeded to a stage 3 panel hearing. The action taken by the school as a result of a complaint (regardless of whether they are upheld) will also be recorded.

**Confidentiality**

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them.

**Education and Skills Funding Agency (ESFA)**

Once the complaints process is concluded (or a complaint has been terminated due to undue delay or failure to lodge a stage 3 request within the time stated in the policy) the matter is closed. If the complainant is still not satisfied then they may contact the ESFA. There is an online procedure at: <https://form.education.gov.uk>

**Records of complaints and their outcome**

A record of the written complaints and their outcome will be maintained and made available to Ofsted on request.

## Appendix 1: The Richmond upon Thames School - Stage 2 Complaint Form

Please complete and return to **the Head Teacher, the Richmond upon Thames School, Egerton Road, Twickenham Middlesex TW2 7SL** or email: [PA@rts.richmond.sch.uk](mailto:PA@rts.richmond.sch.uk).

This form can only be used when all informal (stage 1) processes have been exhausted. All stage 2 complaints must be put in writing on the stage 2 complaint form.

<b>Your name:</b>	
<b>Student's name (if relevant):</b>	
<b>Your relationship to the student (if relevant):</b>	
<b>Address:</b>	
<b>Day time telephone number:</b>	
<b>Evening telephone number:</b>	
<b>Email address:</b>	
<b>Please give details of your complaint, including whether you have spoken to anybody at the school about it.</b>	
<b>What actions do you feel might resolve the problem at this stage?</b>	
<b>Are you attaching any paperwork? If so, please give details.</b>	
<b>Signature:</b>	
<b>Date:</b>	
<b>Official use</b>	
<b>Date acknowledgement sent:</b>	
<b>By who:</b>	
<b>Complaint referred to:</b>	
<b>Date:</b>	

**Appendix 2: The Richmond upon Thames School - Stage 3 Complaint Form**

Please complete and return to **the Clerk to the Trustees, The Richmond upon Thames School, Egerton Road, Twickenham Middlesex TW2 7SL** or email [CoT@rts.richmond.sch.uk](mailto:CoT@rts.richmond.sch.uk).

This form can only be used when all informal (stage 1) and stage 2 processes, involving the school and the Head Teacher, have been exhausted.

<b>Your name:</b>	
<b>Student 's name (if relevant):</b>	
<b>Your relationship to the student (if relevant):</b>	
<b>Address:</b>	
<b>Contact numbers, please state preferred contact time:</b>	
<b>Email address:</b>	
<b>Details of complaint</b>	
<b>Why was the Headteacher's response not satisfactory?</b>	
<b>What further actions would the Panel need to agree in order to resolve this complaint?</b>	
<b>Signature:</b>	
<b>Date:</b>	
<b>Official use</b>	
<b>Date acknowledgement sent:</b>	
<b>By who:</b>	
<b>Complaint referred to:</b>	
<b>Date:</b>	