



# School Complaints Policy

Responsibility	Delegated to Head Teacher (Students, Parents and Community Committee)	
Status	Statutory	
Ratification date	01 07 2025	
Review cycle / date	1	Summer 2026
Reference	021	

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.

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## **1. 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.

## **2. 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<sup>1</sup>. This is the final stage for a complaint raised by persons who are not parents of students currently at the school.

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

This policy must be made available to parents of students.

## **4. Complaints from parents/carers and students about 'early help' support provided by the school**

Students and their parents/carers can use this policy to raise issues around the delivery of early help.

## **5. 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. When necessary, the school will inform parents/carers when the informal resolution period has been exhausted.

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

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<sup>1</sup> School days: means actual school attendance days during the academic school year including partial days that students are in attendance for teaching purposes and do not include weekends, bank holidays, half-term holidays, summer school and INSET days.

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.

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

1. The complainant must put the complaint in writing on the Stage 2 complaint form (appendix 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. The Stage 2 form should be received no later than 10 school days from the end of the informal (stage 1).
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.

## **7. 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 (appendix 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 or at another location which is convenient to all parties, 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 School'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 Head Teacher.
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 trustees will notify all concerned.

### **7.1. 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.

## **8. Unreasonable and persistent complaints**

### **8.1 Unreasonable complaints**

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- Refuses to cooperate with the complaints investigation process
- Refuses to accept that certain issues are not within the scope of the 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 that they expect to be taken into account and commented on
- 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 seeks to have them replaced
- Changes the basis of the complaint as the investigation proceeds
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- Refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed, including referral to the Department for Education
- Seeks an unrealistic outcome
- Makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- Uses threats to intimidate
- Uses abusive, offensive or discriminatory language or violence
- Knowingly provides falsified information
- Publishes unacceptable information on social media or other public forums

Please note: the above list is not intended to be exhaustive and is for guidance purposes only. It is at the discretion of the school what is deemed to be unreasonable.

Complainants should try to limit their communication with the school while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

### **Steps we will take**

We will take every reasonable step to address the complainant's comments and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

Whenever possible, the Head Teacher or Chair of Trustees will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the Head Teacher will write to the complainant explaining that their behaviour is unreasonable, refer them to this policy and remind them to act in accordance with it. For complainants who excessively contact the school causing a significant level of disruption, we may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from school premises and ensuring appropriate measures of support are provided to staff where they are the subject of aggression and/or violence.

## **8.2 Serial/persistent complaints**

If the complainant contacts the school again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent'. We may stop responding to the complainant when the following conditions are met:

- We have taken every reasonable step to address the complainant's concerns
- The complainant has been given a clear statement of our position and their options
- The complainant contacts the school repeatedly, making substantially the same points each time
- The case to stop responding is stronger if:
  - The complainant's communications are often or always abusive or aggressive
  - The complainant makes insulting personal comments about or threats towards staff
- We have reason to believe the individual is contacting the school with the intention of causing disruption or inconvenience

Where we decide to stop responding, we will inform the individual that we intend to do so. We will also explain that we will consider any new complaints they make provided the concerns raised are materially different to those raised previously and/or are unconnected to the previous concern

## **8.3 Duplicate complaints**

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete

- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If a duplicate complaint is raised, which in the view of the school, warrants further consideration, the procedure outlined in section 5 or 6 (as appropriate) will be repeated.

#### **8.4 Complaint campaigns**

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all of the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

#### **9. 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.

#### **10. 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. However, access to paperwork concerning the complaint should be provided for the officer conducting the investigation at stage 1 and 2 and also the trustee panel considering the complaint at stage 3.

#### **11. Department for Education (DfE)**

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 you are not satisfied with the outcome or the actions recommended, you are entitled to have the handling of your complaint reviewed by the Department for Education (DfE). Please find details via this link <https://www.gov.uk/complain-to-dfe>

#### **12. 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 [clerk@rts.richmond.sch.uk](mailto:clerk@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>	