



Complaints Policy and Procedure 2018

Policy

At The Radclyffe School we are proud of the quality of teaching and pastoral care provided to students and we are committed to continuous improvement. We therefore welcome feedback and all **concerns** are considered very seriously and always with a view to seeking a resolution at the earliest opportunity. It is The Radclyffe School Policy to investigate all concerns and complaints in a timely and non-adversarial manner.

In our experience, most concerns can be resolved informally i.e. at Stage 1 of our procedure. Occasionally, however, a concern will be too serious to be handled in this way, perhaps needing greater investigation or because the person concerned may not feel that the answers given so far have been acceptable or adequate. In such circumstances, the concern will become a **complaint** and the formal procedure below will be followed. In all cases, every effort will be made to resolve the issue at Stage 2 of the procedure. In the rare event that this is not achieved, Stage 3 of the procedure is an Appeal to Governors.

The Governing Body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary.

This Complaints Procedure does not apply to issues concerning the curriculum, admissions, statutory assessments of SEN, school reorganisation proposals, school exclusions or any decisions which are subject to separate appeals procedures. Concerns from members of staff are dealt with under the school's Grievance Procedure and concerns about staff conduct and capability are also subject to separate investigative procedures.

Complaints about services provided by other providers who may use the school premises or facilities should be made to the provider concerned and dealt with in accordance with their policy and procedure.

All complaints and expressions of concern, whether raised informally or formally, will be treated confidentially and correspondence, statements and records will remain confidential except where disclosure is required in the course of the school's inspection, or where any other legal obligation prevails.

The policy will be reviewed every 3 years unless guidance/legislation/experience requires an earlier review.



Procedure

Informal Concern (Stage 1)

Any concerns about a student's learning or welfare should, in the first instance, be raised informally with the appropriate Year Manager. If there is any uncertainty about who should deal with the complaint, the matter should, in the first instance, be raised with the Complaints Co-ordinator. The Year Manager/Complaints Co-ordinator may refer the matter to the Head of Faculty or a member of the Senior Leadership team for a response. Concerns about whole school issues or about the Headteacher or the Governing Body should always be raised directly with the school's Complaints Co-ordinator who will ensure the appropriate body investigates and responds.

Informal concerns can be raised in person, by telephone or in writing as soon as is practicable and normally within three months of the concern coming to light. It is helpful if at the outset if a complainant can state what they think might resolve an issue.

The Year Manager/ nominated person will investigate and provide verbal or written feedback as appropriate and within 5 school working days of being notified of the concern.

In most cases concerns will be resolved at Stage 1 but if this is not the case and the outcome is considered unsatisfactory or unacceptable, details of this policy and the formal complaints procedure will be provided to the complainant, including a Stage 2 Complaint Form.

The complainant will be invited to complete the Stage 2 Complaint Form and return it to the Complaints Co-ordinator within 10 school working days of receipt of the form.

Formal Complaint (Stage 2)

On receipt of a completed Stage 2 Complaint Form and within 3 school working days, the Complaints Co-ordinator will acknowledge receipt, clarify who will be investigating and give an indication of when a response will be given. If at all possible, the school will investigate and respond within 10 school working days. If this is not possible, the reason why will be explained and an alternative timescale agreed. A longer timescale may be necessary if meetings are required to fully understand the complaint and/or to investigate it.

At Stage 2, a complaint will normally be investigated and a response given by the Head teacher or a nominated member of the Senior Leadership Team. If the complaint concerns the Head teacher or a member of the Governing Body, it will be investigated by the Chair of Governors or a governor who has not previously been involved in the complaint.

Following investigation, a response will be given in writing and the complainant will be informed of their right of appeal to Governors (Stage 3). The concern will be recorded and notified to the Complaints Co-ordinator for monitoring purposes.

If dissatisfied, the complainant will be advised to complete a Stage 3 Complaint Appeal Form and return it to the Complaints Co-ordinator within 10 school working days of receipt of the form.

Appeal (Stage 3)



On receipt of a completed Stage 3 Complaint Appeal Form and within 5 school working days, the Complaints Co-ordinator will acknowledge receipt and notify the complainant of the date on which their appeal will be heard.

The Complaints Appeal Panel of the Governing Body will comprise of two nominated governors who have not previously been involved with the complaint. The Panel will normally meet within 20 school working days of receiving the completed Stage 3 Complaint Appeal Form. Only matters arising from any complaint(s) considered at Stage 2 will be considered, although the Panel may use its discretion to consider other relevant and related matters that may subsequently arise.

The following are entitled to attend the appeal, submit written representations and address the Panel:

- a) The complainant and/or one representative;
- b) The Head teacher and/or one representative (role subject to prior involvement in the complaint); and
- c) Any person whom the Complaints Appeals Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision-making.

Legal representation will not normally be appropriate.

All parties will be given the opportunity to submit written evidence to the Panel, including:

- a) the completed Stage 3 Complaint Appeal Form
- b) documents in support of the complaint;
- c) chronology and key dates relating to the complaint and the school's response, and;
- d) details of the decision made at Stage 2.

Documents will be collated by the Complaints Co-ordinator, who will then circulate the documentation to all parties, including the Panel members, along with an order of proceedings. Wherever possible, all written evidence must be received by the Complaints Co-ordinator no later than 10 school working days in advance of the appeal meeting. The Complaints Co-ordinator will distribute the written evidence to the relevant parties no later than 5 school working days in advance of the appeal meeting.

The appeal will be conducted in accordance with the agreed format for Complaint Appeals and with a view to ensuring that the nature of the complaint and the steps taken so far are understood and to enable a clear and final decision to be made. In most cases it is anticipated that it will be possible for the panel to respond to the complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out and agree next steps with the complainant. In such cases, it may be necessary for the Complaints Appeals Panel to meet again to determine final outcomes. Once a final decision has been reached it will be notified in writing to the complainant within 3 school working days of the appeal meeting. The letter will state the reasons for the decision reached and any recommendations made by the Appeal Panel. A record of the meeting and outcomes will be kept and notified to the Complaints Co-ordinator for monitoring purposes.

Serial or Persistent and Unreasonable Complaints



The school will do its best to help people who contact them with a complaint or concern. The above Complaints Procedure is in place to enable concerns to be heard and fully investigated and ensure that a clear response is given. If someone contacts the school again and again, repeating the same points and the school feels that the matter has been exhausted, the chair of Governors will inform them in writing that the procedure has been exhausted, that the matter is now closed and that no further correspondence will be entered into. This decision will never be taken lightly.

It would not be usual for The Radclyffe School to limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from an approach that is abusive, offensive or threatening.

A complaint may be regarded as unreasonable. This may be the case where a complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought, despite offers of assistance;
- refuses to co-operate with the complaints investigation process, while still wishing their complaint to be resolved;
- 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 school 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 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 requesting lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;



- knowing it to be false or using falsified information;
- publishing unacceptable information e.g. in social media, websites and newspapers.

The Headteacher will inform a complainant if because of any of the above conditions the school considers the complaint to be unreasonable. If the behaviour continues, this will be confirmed in writing, explaining that the complainant's behaviour is unreasonable and asking them to change it. For complainants who excessively contact The Radclyffe School, causing a significant level of disruption, we may specific methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and action taken will be put in writing immediately and the police informed. This may include banning an individual from The Radclyffe School premises. This decision will also be reviewed after 6 months. A person who has been banned will be informed there is a right of appeal against that decision, to the Chair of Governors.



Stage 2 Complaint Form

Please complete and return to (Complaints Co-ordinator) who will acknowledge receipt and explain what action will be taken. (On request, this form is available in an electronic format)

Your name:
Student's Name (as appropriate):
Your relationship to the student:

Address:
Post code:
Contact telephone number:

The details of your complaint:



(S2CF, Page 2)

What action, if any, have you already taken to try and resolve your complaint (who did you speak to and what was the response)?

Are you attaching any paperwork? If so, please give details.

What actions do you feel might resolve the problem at this stage?

Signature:

Date:

For School Use:

Date acknowledgement sent:

By:

Complaint referred to:

Date:



(S3CAF)

Stage 3 Complaint Appeal Form

Please complete and return to (Complaints Co-ordinator) who will acknowledge receipt and explain what action will be taken. (On request, this form is available in an electronic format)

Your name:
Student's Name (as appropriate):
Your relationship to the student:

Address:
Post code:
Contact telephone number:

Who took the decision at Stage 2 that you now wish to appeal?
--

What was the decision at Stage 2? What has not been resolved?
--



(S3CAF, Page 2)

What actions do you feel might resolve the problem at the appeal stage?

--

Signature:

Date:

--	--

For School Use:

Date acknowledgement sent:

By:

Date of Complaints Appeal Meeting:

Panel members:

Deadline for receipt of documents:

Documents sent to all parties on:

Record of meeting received:

Outcome / Action to be taken:
