



Ringwood School

Complaints Procedure

Policy Details:

Policy Name	Complaints Procedure
Date of current policy	May 2022
Author	Headteacher, written with the March 2021 DfE guidance on 'best practice guidance for academies complaints procedures'.
Created on	June 2021 and reviewed in May 2022
Authorised By	Staff Welfare & Pay Committee
Review Frequency	Annually
Review Date	May/ June 2023 (or earlier if advice changes)
Rationale for Policy	Statutory

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

The difference between a concern and a complaint

A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A complaint may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Ringwood School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the headteacher, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Ringwood School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame only if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

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Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Ringwood School, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> • Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals 	<p>Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Hampshire Local Authority.</p>
<ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation 	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). The LADO is available on : 01962 876364.</p> <p>If you have any concerns because you think that a child might be being abused and you want to talk to someone or ask someone to find out what is going on, you should contact Children’s Services:</p> <ul style="list-style-type: none"> • phone 0300 555 1384 during office hours 8.30am to 5pm Monday to Thursday, 8.30am to 4.30pm on Friday • phone 0300 555 1373 at all other times to contact the Out of Hours service
<ul style="list-style-type: none"> • Exclusion of children from school* 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p>Please also see the school behavioural policy.</p> <p>*complaints about the application of the behaviour policy can be made through the school’s complaints procedure.</p>

<ul style="list-style-type: none"> • Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistle blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.</p>
<ul style="list-style-type: none"> • Staff grievances 	<p>Complaints from staff will be dealt with under the school's internal grievance procedures.</p>
<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> • Complaints about services provided by other providers who may use school premises or facilities 	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Ringwood School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, Ringwood School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

How to raise a concern or make a complaint- The Informal Stage:

A concern or informal complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with the teacher, Subject Leader, tutor or Head of Year. Concerns raised in this way at the informal stage are normally resolved to the full satisfaction of the complainant either via a meeting, telephone call or email communication.

Complainants should not approach individual governors to raise concerns or complaints. Individual governors have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

If the issue remains unresolved, the next step is to make a formal complaint. In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations. In moving to the formal stage, for ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact Nikki Shave, the Headteacher's PA via the school office. You can also ask third party organisations like the Citizens Advice to help you.

Formal Complaints- Stage 1

Formal complaints must be made to the headteacher (unless they are about the headteacher), via Nikki Shave, the headteacher's PA and Complaints Co-ordinator, via the school office. This must be done in writing using the Complaint Form.

Complaints that involve or are about the headteacher should be addressed to The Chair of Governors, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to The Clerk to the Governing Body via the school office or via the email address clerktogb@ringwood.hants.sch.uk. Please mark them as Private and Confidential.

The headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.

Within this response, the headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

During the investigation, the headteacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the headteacher will provide a formal written response within 10 school days of the date of receipt of the original complaint.

If the headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Ringwood School will take to resolve the complaint.

The headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1. For complaints against the Headteacher this will normally be the Chair of Governors.

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For complaints about governors, an independent investigator may be appointed, depending on the nature of the complaint.

Formal Complaints- Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the governing body's complaints committee, which will be formed of the first two, impartial, governors available, and a third person who is completely independent of the management and running of the school. This is the final stage of the complaints procedure.

The aim of the panel hearing is:

- Reconciliation
- To put things right that may have gone wrong

A request to escalate to Stage 2 must be made to The Clerk to the Governing Body, via the school office, or by email (clerktogb@ringwood.hants.sch.uk) within 10 school days of receipt of the Stage 1 response.

The request must clearly set out the reason(s) for seeking escalation to Stage 2.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

If the request is not set out in sufficient detail or relates to matter(s) that are outside the scope of this policy, the Clerk will advise in writing accordingly and require clearer information to be provided.

The Clerk will then write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints committee will consist of two governors with no prior involvement or knowledge of the complaint and a third party who is independent of the management and the running of the School. Prior to the meeting, the complaints committee will decide amongst themselves who will act as the Chair of the complaints committee. If there are fewer than two governors from Ringwood School available, the Clerk will source any additional, independent

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governors through another local school or through their Hampshire County Council's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2. This would be the case if the complaint were about the entire governing body.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not permit either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not be managed under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with complainants.

Representatives from the media are not permitted to attend.

At least 15 school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 8 school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from the informal stage or from Formal Complaint Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

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If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the complaints committee will provide the complainant, Ringwood School, and where relevant, the person complained about, with a details of the findings and recommendations of the panel, within 5 school days. This response will include the reasons for the conclusions of the panel and how to escalate the complaint should the complainant remain dissatisfied. The response will be available for inspection on the school premises by the proprietor and the Headteacher.

Copies of the minutes of the panel hearing will also be issued to the complainant and to Ringwood School.

Next Steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the ESFA after they have completed Stage 2.

The ESFA will not normally reinvestigate the substance of complaints or overturn any decisions made by Ringwood School. They will consider whether Ringwood School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the ESFA by:

- calling the National Helpline on 0370 000 2288
- using ESFA's contact form found on https://form.education.gov.uk/service/Contact_the_Department_for_Education
- writing to the ESFA at the address below

Academy Complaints and Customer Insight Unit
Education and Skills Funding Agency
Cheylesmore House
Coventry
5 Quinton Road
Coventry
CV1 2WT

Complaint Management and Record Keeping:

The Complaints Co-ordinator at Ringwood School will:

- maintain a written record of all formal complaints made.

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- record whether each complaint was resolved at Stage 1 or whether it proceeded to Stage 2.
- record the final outcome
- record the action taken by the School as a result of those complaints (regardless of whether they are upheld)
- ensure that all correspondence, statements and records relating to individual complaints are to be kept secure and confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.
- records of major complaints will be held for the current year plus 6 years.
- records for complaints involving negligence will be held for the current year plus 15 years.
- records of minor complaints will be held for the current year plus 2 years.

Complaint Campaigns:

In the rare event that the School receives a large volumes of complaints that are all based on the same subject and/or from complainants unconnected with the School. Ringwood School will:

- send a template response to all complainants who have given their contact details
- consider publishing a single response on the school's website

Managing Serial and Persistent or "Unreasonable" - Complaints:

Ringwood School recognises that it might receive complaints that could be considered 'unreasonable'.

An unreasonable complaint may be one that is vexatious or frivolous.

Examples of the characteristics of an 'unreasonable' complaint are:

- complaints which are obsessive, persistent, harassing, prolific
- complaints which are repetitious
- using this policy as a way of furthering concerns or complaints determined under different policies
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- insistence upon pursuing meritorious complaints in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress that lack any serious purpose or value

In the event that the School receives what it considers to be an unreasonable, complaint it may decide to not respond any further, this decision will be taken, for example, if:

- the School have already taken every reasonable step to address the complainant's concerns through the policy.
- the complainant has been given a clear statement of the School's position and their options
- the complainant contacts the School repeatedly, making substantially the same points each time

The School may decide not to reply if:

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- an individual's letters, emails, or telephone calls are often or always abusive or aggressive
- a individual makes insulting personal comments about or threats towards staff
- it is believed that the individual is contacting the School with the intention of causing disruption or inconvenience

Individuals will be informed if the School does not intend to reply to their complaints.

If, at any stage, an individual's behaviour is causing a significant level of disruption in the School's view, regardless of whether or not they have raised a complaint, the School may implement a tailored communication strategy.

This might mean:

- restricting the individual to a single point of contact via an email address
- limiting the number of times that individual can make contact.

If an individual persists to the point that may constitute harassment, Ringwood School will seek legal advice. See Communications Policy for further details

Formal Complaint Form

Please complete and return to Nikki Shave, PA to the headteacher and Complaints Co-ordinator who will acknowledge receipt and explain what action will be taken.

Your name:
Student's name (if relevant):
Your relationship to the student (if relevant):
Address:

Please give details of your complaint, including whether you have spoken to anybody at the school about it.

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

Are you attaching any paperwork? If so, please give details.
Signature:
Date:
Official use
Date acknowledgement sent:
By who:
Complaint referred to:
Date:

Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible (in writing if the complaint is formal) ideally using the complaint form in order to explain fully the resolution they seek
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed

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- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - o sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - o interviewing staff and children/young people and other people relevant to the complaint
 - o consideration of records and other relevant information
 - o analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The headteacher or Complaints Committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure

- liaise with staff members, headteacher, Chair of Governors and Clerk to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - o sharing third party information
 - o additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records in line with the requirements of the policy.

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee at Formal Stage 2 and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR. If a new issue arises, it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator)

Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so. No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant. **We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.**
- many complainants will feel nervous and inhibited in a formal setting. If the complainant is a parents or carers, it is not unusual for a parent/ carer to feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting. Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated. The committee should respect the views of the child/young person and give them equal consideration to those of adults. If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend. However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests. The welfare of the child/young person is paramount.