



RAINHILL HIGH SCHOOL

SCHOOL COMPLAINTS POLICY

School Complaints

Where do I begin?

Whether you are a parent or a member of the public, the place to start is the school. Follow the stages in the document. It is much better if matters can be resolved within the school, even if this might feel rather awkward at the beginning.

Aims

Stephenson Multi Academy Trust (and Rainhill High School as part thereof) aims to meet its statutory obligations when responding to complaints from parents of pupils at the Trust. This complaints procedure is not intended to replace the normal discussions regarding problems and concerns which take place on a day to day basis. When responding to complaints, we aim to:

- Be impartial and non-adversarial.
- Facilitate a full and fair investigation by an independent person or panel, where necessary.
- Address all the points at issue and provide an effective and prompt response.
- Respect complainants' desire for confidentiality.
- Treat complainants with respect.
- Keep complainants informed of the progress of the complaints process.
- Consider how the complaint can feed into school improvement evaluation processes.

The Trust will try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The Trust will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, the Trust will ensure we publicise the existence of this policy and make it available on the school website.

Legislation and guidance

This document meets the requirements of part 7 of the Education Regulations 2014, which governs academy complaints procedures.

Scope of this complaints procedure

The Trust intends to resolve complaints informally where possible, at the earliest possible stage.

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

EXCEPTIONS	WHO TO CONTACT
Admissions to schools	Concerns about admissions should be handled through the appeals process or via the local authority.
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).</p>
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>*complaints about the application of the behaviour policy can be made through the school's complaints procedure.</p>
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 whistleblowers 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.</p>
Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
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>

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right.

We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay. The Trust expects that complaints will be made as soon as possible after an incident arises. The Trust will consider exceptions to this 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.

Anonymous complaints

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

Staff conduct

Complaints about staff will be dealt with under the Trust's internal disciplinary procedures, if appropriate. 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.

Social media

In order for complaints to be resolved as quickly and fairly as possible, Stephenson Multi Academy Trust requests the complainants, do not discuss complaints publicly via social media such as Facebook and Twitter. Complaints will be dealt with confidentially for those involved, and we expect complainants to also observe confidentiality. Defamatory, offensive or otherwise inappropriate comments on social media will be reported to the appropriate authorities.

Complaint campaigns

A complaint campaign can be defined as:

- The Trust receiving a number of complaints all based on the same subject.
- The Trust receiving multiple complaints from complainants unconnected to the Trust.

In the event of a complaint campaign (as defined above), the Trust will not respond to each complaint individually but will either:

- send a template response to all complainants or
- publish a single response on the school's website

Individual staff and pupils will be entitled to have their point of view heard if they are being complained against, and their rights will be respected at all times.

The outcome of the investigation into a general complaint will be put into writing, indicating the reasons for the decision and what further action (if any) will be taken by the school, e.g. a change of policy of procedures.

We will listen to your concerns. If we get it wrong, we will say sorry.

Stages Involved

- 1 **Staff Concerned**
- 2 **Senior Leadership Team**
- 3 **Headteacher**
- 4 **Governors' Complaints Panel**
- 5 **Trustees Complaints Panel**

Guidance Education Skills + Funding Agency (ESFA)

At all stages, there is a requirement to put your complaint in writing.

Please do not bypass any of the stages involved. It will only delay your complaint being heard.

Stage 1

You express your complaint informally in writing, i.e. an email or letter to the member of staff concerned.

You will receive a verbal response within five school days. This can be extended if the complainant is notified.

Is a satisfactory outcome reached?

Yes	No further action	No	Move to Stage 2
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Please note, if in the first instance you address your complaint to a Governor or Trustee, the next step would be to refer the complaint to the appropriate person. Governors and Trustees cannot act outside of this policy as they may be needed to sit on a panel at a later stage.

Stage 2

Complainant puts their concerns in writing within five days of being notified of the outcome of Stage 1.

Complaints must be addressed to:

Post 16, Curriculum & Options: Mr Alan McKeegan (Deputy Headteacher)

Behaviour, Pastoral & SEN: Mrs Linsay Munro (Deputy Headteacher)

Achievement: Mrs Wendy Segal (Deputy Headteacher)

Any complaint relating to the Headteacher must be raised in the first instance with the Chair of Governors (or Vice-chair in the absence of the Chair) who will, if an informal resolution cannot be reached, designate a Governor to investigate in the same way as outlined above. Where a complaint is against the Chair of Governors or any member of the Governing Board, it should be made in writing to the Clerk to Trustees in the first instance.

You will receive an acknowledgement in writing within five school days, and an investigation is then undertaken. You will be notified of the outcome in writing within ten school days or interim.

Is a satisfactory outcome reached?

Yes	No further action	No	Move to Stage 3
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Stage 3

If the matter cannot be resolved after Stage 2 then you (the complainant) should put the complaint in writing by post or by e-mail (loraine.potter@rainhillhigh.org.uk) briefly setting out the facts and stating what it is that you consider the school should have done or where the school has not met reasonable expectations. This should be within 5 school days of the Stage 2 outcome.

An investigation will be carried out by the Headteacher or a designated member of the senior leadership team (provided they have not been involved up to this point). The scope of the investigation will be documented to ensure that all aspects are covered. The investigator will offer the complainant a meeting to confirm/clarify the reason for the formal complaint and will speak to others involved. Wherever reasonably possible, the meeting with the complainant will take place within 10 school days of the written complaint being received.

Following the meeting, the investigator will put their 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.

Any complaint relating to the Headteacher will be investigated by the Chair (or Vice Chair) of Governors if it has not been resolved at Stage 2, likewise – any complaint regarding the Chair of Governors or a member of the Governing Body will be investigated by the Chair (or Vice Chair) of Trustees if not resolved at Stage 2.

Is a satisfactory outcome reached?

Yes	No further action	No	Move to Stage 4
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Stage 4

The complainant writes to the Chair of Governors in writing within 5 school days of the outcome of Stage 3.

The letter should be addressed to the Clerk to the Governors (FAO the Chair of Governors) or e-mailed to loraine.potter@rainhillhigh.org.uk (FAO the Chair of Governors) and must set out briefly the reasons why the complainant is dissatisfied with the Stage 3 response.

A review panel will then be set up - The review panel will consist of a minimum of 3 members of the governing board and an independent member who is not involved with the management and running of the school. These individuals will have access to the existing record of the complains process but will have no prior knowledge or involvement pertaining to the complaint.

A letter of acknowledgement will be sent to the complainant within 10 school days. Within 15 school days of receipt of the complainant's letter, the Clerk will convene a meeting of the Governing Body Complaints Panel together with the complainant and relevant representatives of the school. That meeting will be held 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. At any meeting, the complainant will be entitled to be accompanied by another individual (by prior approval of the Governing Body Complaints Panel) but legal representation will not be allowed. In certain circumstances, the governors may refuse a request for a particular individual to attend any such meeting, for example, if there is a conflict of interest.

The meeting is not a court case and will be as informal as circumstances allow. The complainant will have the opportunity to put 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.

The Panel will make findings and recommendations and a copy of those findings and recommendations will be - sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about - available for inspection on the school premises by the Trustees and the Headteacher.

The Panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days of the hearing taking place, and the Clerk to the Governors will notify all concerned.

If a complainant tries to reopen the same issue, the Chair of Governors may write to the complainant to inform him/her that the procedure has been completed and the matter closed.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing.

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 part 7 of the Education Regulations 2014, which governs academy complaints procedures.

Is a satisfactory outcome reached?

Yes

No further action

No

Move to Stage 5

Stage 5

The complainant writes to the Chair of Trustees in writing within 5 school days of the outcome of Stage 4.

The letter should be addressed to the Clerk to Trustees (FAO the Chair of Trustees) or e-mailed to loraine.potter@rainhillhigh.org.uk (FAO the Chair of Trustees) and must set out briefly the reasons why the complainant is dissatisfied with the Stage 4 outcome.

A review panel will then be set up - The review panel will consist of a minimum of 2 members of the Board of Trustees and an independent member who is not involved with the management and running of the school. These individuals will have access to the existing record of the complains process but will have no prior knowledge or involvement pertaining to the complaint.

A letter of acknowledgement will be sent to the complainant within 10 school days. Within 15 school days of receipt of the complainant's letter, the Clerk will convene a meeting of the Board of Trustees Complaints Panel together with the complainant and relevant representatives of the school. That meeting will be held 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. At any meeting, the complainant will be entitled to be accompanied by another individual (by prior approval of the Board of Trustees Complaints Panel) but legal representation will not be allowed. In certain circumstances, the governors may refuse a request for a particular individual to attend any such meeting, for example, if there is a conflict of interest.

The meeting is not a court case and will be as informal as circumstances allow. The complainant will have the opportunity to put 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.

The Panel will make findings and recommendations and a copy of those findings and recommendations will be - sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about - available for inspection on the school premises.

The Panel will formulate its response as quickly as reasonably possible, aiming to do so within 10 school days of the hearing taking place, and the Clerk to Trustees will notify all concerned.

If a complainant tries to reopen the same issue, the Chair of Trustees may write to the complainant to inform him/her that the procedure has been completed and the matter closed.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing.

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection.

Is a satisfactory outcome reached?

Yes	No further action	No Please read ESFA Guidance (Page 6)
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Guidance

The role of the ESFA

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 5.

The ESFA's responsibility is to ensure academies comply with their funding agreements. If a complaint comes to us, we will check whether the complaint has been dealt with properly by the academy. We will consider complaints about academies that fall into any of the following three areas:

1. Where there is an undue delay, or the academy did not comply with its complaints procedure when considering a complaint.
2. Where the academy is in breach of its funding agreement with the Secretary of State.
3. Where an academy has failed to comply with any other legal obligation.

The ESFA will not overturn an academy's decision about a complaint.

However, if we and an academy did not deal with a complaint appropriately, we will request the complaint is looked at again and procedures meet the requirements set out in the Regulations. If the academy's complaints procedure does not meet the regulations, we will ask the academy to put this right.

The ESFA may seek to enforce the decision under the terms of the funding agreement on behalf of the Secretary of State, if appropriate.

**The complainant can refer their complaint to the ESFA online at:
www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:**

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

Serial and Unreasonable Complaints

Stephenson Multi Academy Trust (and Rainhill High School as part thereof) is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Stephenson Multi Academy Trust defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- 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 co-operate 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 which 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

Complainants should try to limit their communication with the school that relates to their complaint, 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.

Whenever possible, the headteacher will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Stephenson Multi Academy Trust causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

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 Rainhill High School.



RAINHILL HIGH SCHOOL

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