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## Ranvilles Junior School Complaints Procedure

### 1. ACCESSIBILITY

This procedure is available in large print or Braille. Please contact the school office who will be happy to arrange this for you.

### 2. PURPOSE OF PROCEDURE

The purpose of this procedure is to clearly lay out the requirements, flow and timescales for making a formal complaint.

### 3. APPROVAL

Approval date: October 2022

Date for next review: October 2025

#### **4. Introduction**

At Ranvilles Junior School we value the partnership between parents, the wider community and the school. We aim to work closely with our school and local community to provide mutual support and give children a happy, caring and consistent environment in which to develop. The vast majority of issues raised by parents and the wider community are concerns rather than complaints and are swiftly resolved.

We recognise the need to have an efficient and accessible complaints procedure to help ensure that everyone is aware of the process and the appropriate channels of communication. In this way we hope to develop a shared approach as well as confidence in the school's methods and procedures.

#### **5. 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 Ranvilles Junior School 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.

#### **6. Scope of this complaints procedure**

This policy does not cover complaints about the following issues, for which there are specific statutory regulations and LA appeal mechanisms:

- The LA's decisions on special educational needs (SEN) assessments and school places
- School admissions and transfers
- Exclusions
- Employment
- School re-organisation proposals
- Staff conduct or grievances
- Complaints about services provided by other providers who may use our facilities
- National Curriculum content
- Matters likely to require a child protection investigation
- Whistleblowing

Note: Complaints about staff conduct will not generally be handled 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 them.

#### **7. Underlying Principles of Policy**

We aim to:

- Resolve concerns through informal discussions at the earliest stage
- Be speedy, with well-defined timescales and named contacts
- Focus on resolution and service rather than blame
- Be accessible to people with disabilities, special needs or language barriers
- Be fair

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- Promote confidentiality and discretion
  - Include fair and transparent investigative processes for staff as well as complainants
  - Indicate other sources of advice, for example CAB (Citizens Advice Bureau)

## **8. Time Scales**

A complaint must be raised within three months of the incident or where a series of incidents have occurred, within the last three months of the last of these incidents. If a complaint is received outside of term time, or on the last day of the Summer term, we will consider that the complaint has been made on the first school day after the holiday period.

## **9. How to raise a concern or complaint**

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

9.2 Concerns should be raised with either the Class teacher, member of the Senior Leadership Team or the Headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

9.3 Complainants should not approach individual Governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at a later stage of the procedure.

9.4 Complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher via the school office. Please mark them as Private and Confidential.

9.5 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.

9.6 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. Please mark them as Private and Confidential.

9.7 For ease of use, a template complaint form is included at the end of this procedure at Appendix 1. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

9.8 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.

## **10. Resolving Complaints**

At each stage in the procedure, Ranvilles Junior 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

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- 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.

## **11. The Process – A Staged Approach**

There is a staged approach for dealing with complaints which is described below. We recommend following all stages of this process because it is in the early stages of the complaints procedure that responses are full and detailed. Escalating a complaint higher or to an outside body (such as OFSTED) straight away will result in a standard response and may not result in the intended outcome or provide the explanation desired.

## **12. The Preliminary Stage – an informal approach to raising a concern**

12.1 We encourage to speaking informally with the appropriate or designated member of staff as soon as possible. We suggest that parents speak to the Classteacher in the first instance. If this is inappropriate then you can raise your complaint with any member of the Senior Leadership Team or the Headteacher. Members of the public should ask to speak to the Headteacher.

12.2 If the concern is about the Headteacher, complainants are encouraged to have preliminary discussions between themselves and Headteacher.

12.3 It should be noted that the Headteacher has the responsibility for the day to day management of the school. The Governing Body has a largely strategic role with regard to the management of the school. If the complaint is about the strategic role of the school, a member of the Governing Body or the Governing Body as a whole, complainants may wish to speak to the Chair of Governors informally at this stage.

## **13. Stage 1**

13.1 Should the concern remain after initial discussions, then the next stage is to write to the Headteacher, giving details of the complaint and enclosing any appropriate paperwork. Note: The Headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

13.2 The Headteacher, or designated senior member of staff, will acknowledge receipt of the letter sent out within two school days or the first day back after a school holiday if the letter was sent at the end of term.

13.3 A full response will be put in writing within one working week following the complaint.

13.4 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.

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13.5 If the complaint requires an in-depth investigation, the Headteacher will need to acknowledge this and let the complainant know that a full response will take longer than usual. Standard practice is to investigate the complaint and prepare a full response within three working weeks. We will keep the complainant informed about how the investigation is progressing if this is the case.

13.6 The Headteacher will, following any meeting about a written complaint, summarise the main points in a follow-up letter. This may prevent any misunderstandings and ensure that all parties have a clear record of progress or agreements.

13.7 If a complainant remains dissatisfied, the Headteacher will need to decide when to give a final response and refer to Stage 2 of the complaints process. Complainants should note that once Stage 2 has been started no further discussion of the matter, written or otherwise, will be entered into by the Headteacher.

13.8 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 this stage.

13.9 Complaints about the Headteacher or member of the Governing Body must be made to the Clerk, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Governing Body or
- the majority of the Governing Body

Stage 1 will then be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the investigator will provide a formal written response.

#### **14. Stage 2 – Chair of Governors**

14.1 If complainants remain unhappy then they can proceed to this stage of the process. Complainants are invited to send a letter to the Chair of Governors care of the school office, outlining their complaint, explaining the reasons for pursuing it beyond the Headteacher's response and enclosing any relevant paperwork. This letter must be sent within three school days of receiving the response from stage 1.

14.2 The timescales for acknowledging the complaint and making a response at this stage are as outlined in Stage 1.

14.3 This stage offers an opportunity for achieving conciliation between all parties. Informal discussions between the Chair of Governors and the Headteacher are key to resolving the complaint and agreeing a way forward. This should prevent any further escalation for the disagreement.

14.4 In each case the Chair of Governors will need to decide who is responsible for dealing with the issues involved, and therefore what powers are available to Governors with respect to the particular complaint. Are the issues related to responsibilities that:

- i) are delegated to the Headteacher by the Governing body; or

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- ii) fall within the Governing body's remit only; or
  - iii) are within the Headteacher's terms and conditions of employment and relate to the internal organisation, management and control of the school?

14.5 For delegated responsibilities and matters within the remit of the Governing Body, the Chair may look at the whole issue afresh.

14.6 If the matter relates to the Headteacher's conduct, the Chair of Governors will need to decide whether the matter should be dealt with through the complaints procedure or staff disciplinary procedure. The Chair of Governor's decision is final.

### **15. Stage 3 – Governing Body's Complaints Panel**

15.1 If complainants are still dissatisfied, then they can escalate the complaint to this final stage of the complaints procedure.

15.2 Complainants who wish to appeal to the Governors must request this in writing to the Clerk to the Governing Body. Complainants should describe the issues in detail and say why they are dissatisfied with the outcomes of the previous stages and how they would like the problem to be resolved. A request to escalate to this stage must be made to the Clerk within three school days of the response from the previous stage. The Clerk will acknowledge receipt of the complaint in writing (either by letter or e-mail) within five school days or on the first day back to school if the complaint was sent at the end of term.

15.3 Complainants are reminded not to write to all governors individually as this may make it difficult to set up a panel of three governors who have had no prior involvement in the case.

15.4 There are two forms of appeal and these are reconsideration or a review.

#### **15.5 Reconsideration** (considering afresh)

When the issues relate to delegated responsibilities, the panel can reconsider the matter, that is, look at the matter afresh, with any new information that the Headteacher may not have been aware of at the time of the original response or action. In the light of additional information, the panel may decide to write and ask the Headteacher to give the matter further consideration.

Complaints about a Governor should also be subject to a reconsideration of the issues.

#### **15.6 Review**

If the matter falls within the Headteacher's decision-making remit by virtue of his or her terms and conditions of employment, then the panel will only have the power to review the decision not to consider the matter afresh. It may look at whether the decision or action was unreasonable. An unreasonable decision might be one that is irrational: a decision that no reasonable Headteacher, properly aware of his or her duties and properly taking into account the facts of the case before him or her, would make.

The panel will need to consider the facts as they were known to the Headteacher at the time and then consider whether the Headteacher:

- i) failed to take account of a relevant consideration; and/or
- ii) took into account an irrelevant consideration; and/or
- iii) made a 'perverse' decision in the light of the evidence available at the time.

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If new evidence does come to light, the panel should refer it back to the Headteacher, who may consider amending the decision in the light of that new information.

In deciding whether the Headteacher's decision was perverse, the panel will need to judge whether the decision was one that, on the facts, was open to the Headteacher to make; that is, within a reasonable range of responses in the light of the evidence available.

15.7 The Clerk will arrange and facilitate a meeting. They will endeavour to arrange a meeting within 10 days of the stage 3 request. If this is not possible, the Clerk will 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 submission from both parties.

15.8 The panel will consist of three governors with no prior involvement in the matter and the Chair should be designated before the meeting.

15.9 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.

15.10 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 encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. Representatives from the media are not permitted to attend. 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.

15.11 At least three 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 two school days before the meeting.

15.12 Any written material will be circulated to all parties at least two 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.

15.13 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 Stage 1 of the procedure.

15.14 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.

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

- uphold the complaint in whole or in part

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- dismiss the complaint in whole or in part.

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.

15.16 The clerk should inform the complainant in writing of the panel's decision, preferably within five school days following the meeting. The letter will include:

- A summary of the issues
- An outline of the main points of discussion
- The reasons for the decision

When a decision has been made by the panel and has been notified in writing to the parent, no further discussion, written or otherwise will be entered into by the school. Any subsequent communication on the matter will be considered vexatious.

15.17 The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Ranvilles Junior School.

15.18 If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire Governing Body or
- the majority of the Governing Body

Stage 3 will be heard by a committee of independent governors. This may take longer than the timescales given above but complainants will be kept informed.

## **16. Next steps**

16.1 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 Department for Education after they have completed Stage 3.

16.2 The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Ranvilles Junior School. They will consider whether Ranvilles Junior School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus), by telephone on: 0370 000 2288 or by writing to:

Ministerial and Public Communications Division  
Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD.



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Good practice

## **17. Handling Complaints**

17.1 We aim to handle complaints effectively to ensure that complainants feel confident that staff will respond to any future complaint in a sensitive, non-defensive and sympathetic manner. Parents can be assured of confidentiality and that their child will not be adversely affected.

17.2 An individual Governor should not respond to or investigate a complaint unless designated to do so.

17.3 When a member of the community approaches a member of staff about a concern that has not been resolved at the informal stage. It is good practice to:

- listen without comment
- explain the procedures; that is, what will happen next and who will deal with the issue
- direct the person to this policy.

17.4 The appropriate member of staff will need to create a file and record the relevant details. It is advisable to keep records in the file of any meetings or conversations, with a chronological record of events.

17.5 If a complaint is complex and lengthy, the school will keep complainants informed of progress either by telephone or letter (including e-mail).

17.6 At the conclusion, the complainant will receive:

- a specific response rather than a standard reply
- feedback on any outcomes such as an improvement in service or an agreement to review or amend a policy.

Difficult complainants

## **18. Vexatious complaints**

18.1 In rare circumstances a complainant, having exhausted the complaints procedure, may persist with the complaint.

18.2 Complaints become vexatious when they:

- repeatedly and obsessively pursue the complaint; are unreasonable or seek unrealistic outcomes; or
- are reasonable but pursue the complaint in an unreasonable manner or
- repeatedly refuse to engage with the school's attempts to reconcile the issues.

18.3 Governors may need to decide whether all future contacts should be:

- Directed to, and only be dealt with by, a named individual
- Restricted, for example, to letter only.

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18.4 If a conclusion has been reached about a complaint but the complainant continues to pursue it, the school will consider writing:

- to say that the matter has been passed to Legal Advisors within Hampshire County Council
- to reiterate that the matter is concluded and there will be no further correspondence
- to say that, if correspondence continues, it will be read and filed by the clerk to governors but will receive no acknowledgement

## 19. **Abusive complaints**

19.1 Verbal aggression can be as intimidating as physical aggression. All parties have a right to be treated courteously and with respect. If staff feel threatened, they should report their fears to the Headteacher who will consider:

- writing to the complainant requesting that the behaviour cease setting restrictions for further contact with staff.
- reporting the incident to the Police.

Should the aggression be directed towards the Headteacher or a Governor, then the Chair of Governors may write a letter.

19.2 If a telephone caller becomes aggressive or offensive, the person taking the call should explain that they will end the call if the behaviour persists. If they need to hang up, they should record this action and any further incidents.

19.3 Repeated abusive or aggressive contacts can be considered as harassment and we will need to consider reporting them to the police. This includes any posts on social media.

19.4 The school may seek further advice from Legal Services.

## 20. Anonymous complaints

20.1 Generally, schools will not respond to anonymous complaints. Nevertheless, the Headteacher and/or Chair of Governors will need to consider whether:

- the issue and the fear of identification are genuine
- the issue is one of child protection.

Therefore, in some cases, following an anonymous complaint, an investigation may be necessary.



## Ranvilles Junior School Complaints Form

Should you need to make a Formal Complaint to the school, this form must be completed and attached to your complaint. If you require assistance in completing this form or require it in a different format, please contact the school office who will assist you with your enquiry.

Date:

Your Name:

Phone Number:

Email Address:

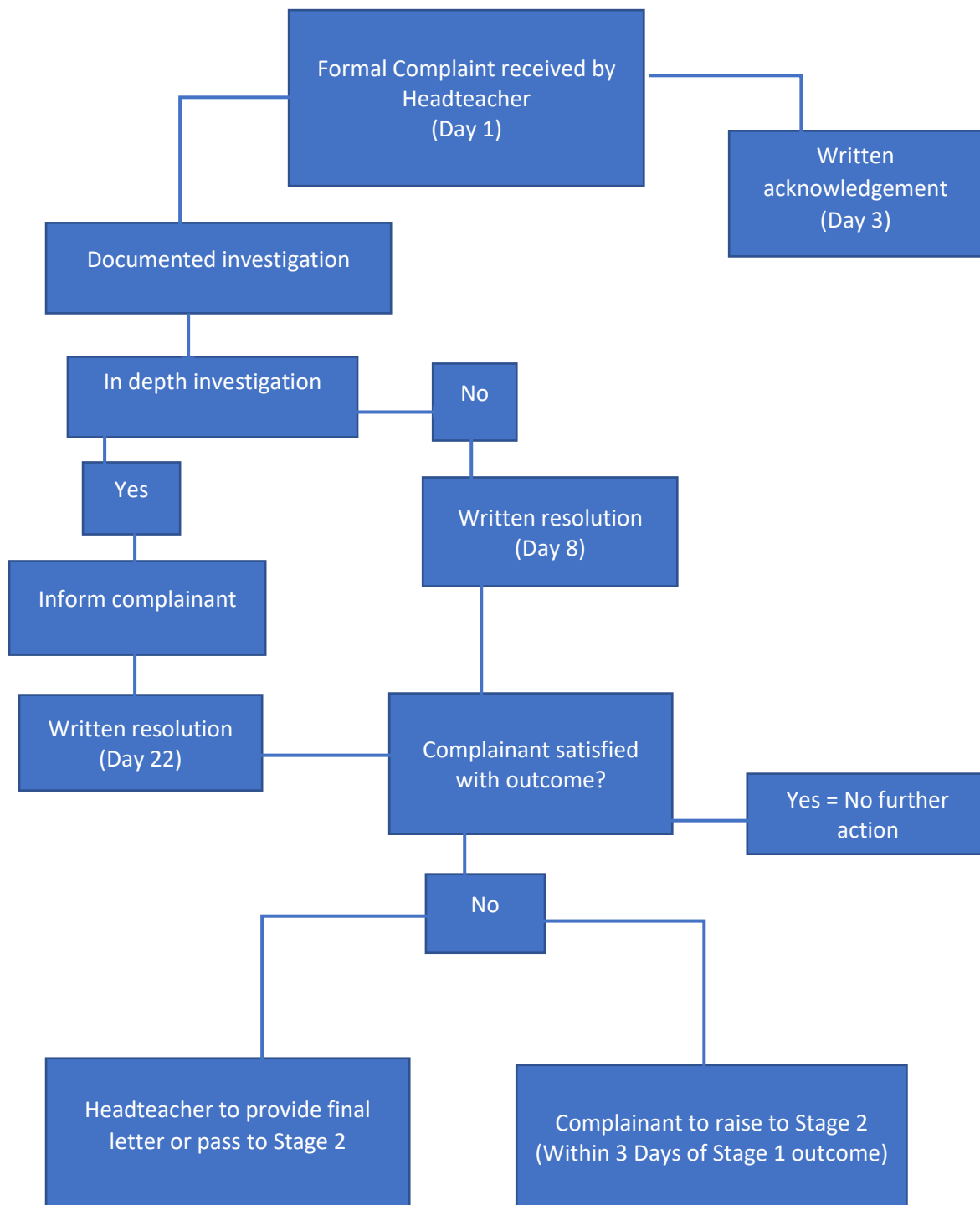
Child's Name:

Child's Class:

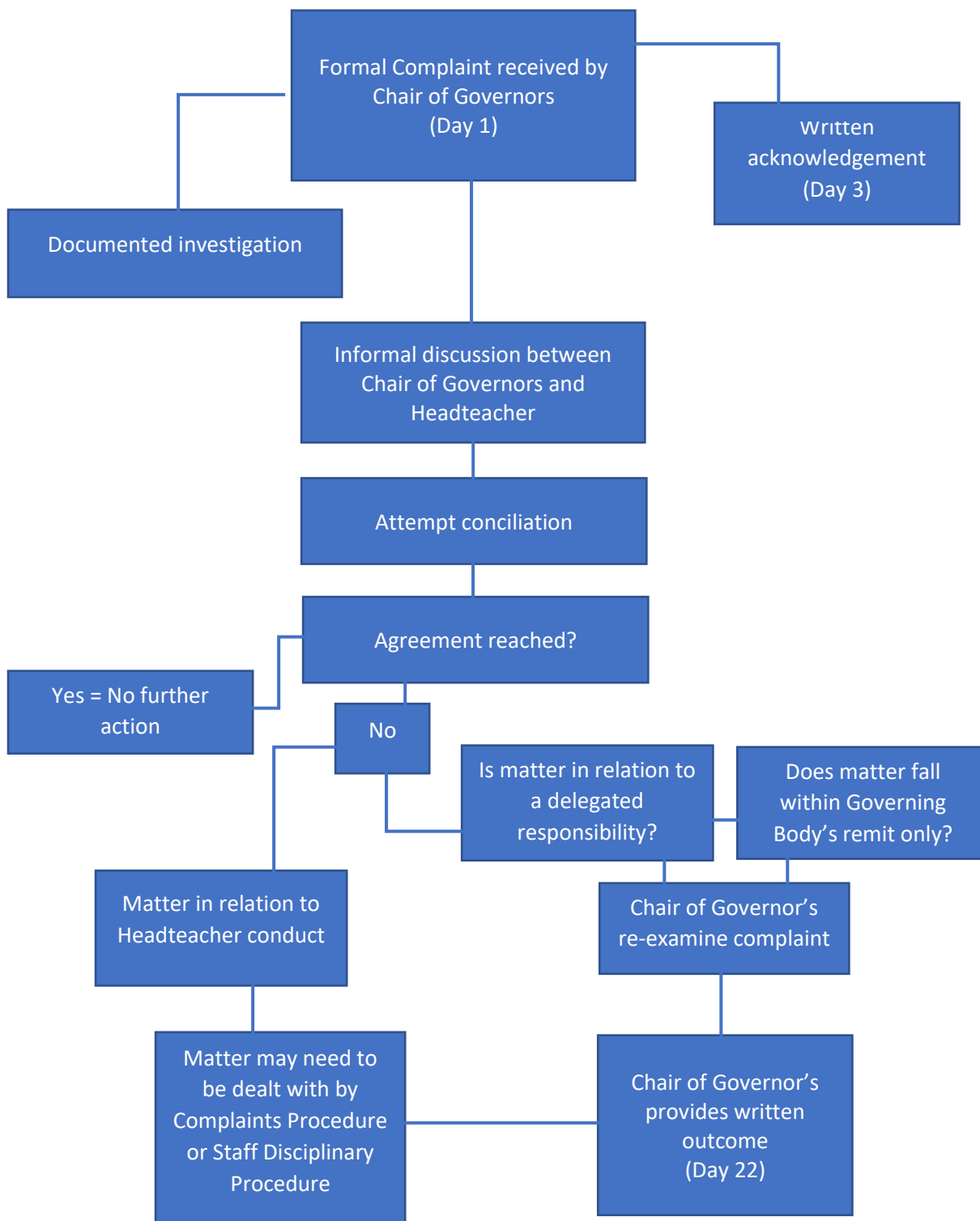
Brief Outline of your Complaint:

Please attach this to any documentation regarding your complaint.

The following flow shows the procedure and timescales for a Formal Complaint made to the Headteacher (Stage 1):



The following flow shows the procedure and timescales for a Formal Complaint made to the Chair of Governors (Stage 2):



The following flow shows the procedure and timescales for an outcome appeal submitted to the Governing Body's Complaints Panel (Stage 3):

