



## Ripon Grammar School

# Concerns and Complaints Policy

### Scope of the Policy

This policy and procedure is for use in dealing with concerns and complaints about aspects of Ripon Grammar School [the school]. It complies with DfE and Local Authority (LA) guidelines. It is intended for use by parents, carers and legal guardians of pupils at the school, and adult members of the general public. It is recognised that, from time to time, pupils at the school may also have legitimate concerns; they are encouraged to make their concerns known through the normal school procedures.

The policy **does not cover** the following for which there are separate procedures:

- The content of the national curriculum
- Daily act of collective worship
- School admissions;
- School exclusions;
- Special educational needs (statutory assessments and statements);
- Child protection
- Conduct of Staff
- Whistleblowing
- Staff grievances
- Complaints about services provided by others on school premises

In addition, the policy does not cover complaints about North Yorkshire County Council (NYCC) policies, legal procedures or matters which are the direct responsibility of the LA.

In order to be easily understood, this policy and its associated procedures are set out in 4 stages.

### Preamble

The distinction between a **concern** and a **complaint** is not always clear. Both arise from situations where a parent<sup>1</sup> feels that **something is not right**, and that it needs to be drawn to the school's attention **so that it can be put right**. Raising a concern is usually the first informal attempt at resolving the problem. Lodging a complaint is part of a more formal process. If not addressed satisfactorily, a concern can become the legitimate basis for a complaint though where a parent considers an issue or incident to be sufficiently serious it may warrant a formal complaint to the school as the first stage.

### Stage 1: Raising Concerns – the informal procedure

Ripon Grammar School staff and governors are fully committed to trying to resolve parents' concerns and anxieties about any aspect of school life. If parents are concerned about anything to do with their child's

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<sup>1</sup> The term **parent** will be used from this point forward to refer to all categories of people referred to in the opening paragraph.

education or the running of the school, we want to know about it at the earliest opportunity and we will aim to address it as quickly as possible. You are strongly encouraged to discuss such concerns with the most appropriate member of staff; this is usually the form teacher, the subject teacher, or the houseparent, but occasionally you may then wish to raise your concerns with more senior members of staff: the Head of Year, Head of Upper School, the Head of Sixth Form or one of the Assistant or Deputy Headteachers. If a concern persists beyond this level of referral it should be raised with the Headmaster. If in doubt, you should telephone or e-mail the school office and they will direct you to the most appropriate member of staff.

### **The Formal Complaints Procedure (Stages 2 – 4)**

Our aim throughout is that the school will have resolved concerns swiftly and to everyone's satisfaction. However, if you remain dissatisfied, or if an issue is particularly serious, you are free to pursue the matter further and formally as a complaint by contacting the Headmaster by e-mail, or by mail, or by telephone (in which case you will also be asked to provide written details if possible). A complaints form is available (**appendix 2**) to facilitate this though you should feel free to present details in your own style. It is always useful when you detail your complaint if you also indicate what the school could do to rectify matters. **Do not send your complaint to any governors of the school because that will make it more difficult for your case to be considered in Stage 3.**

If your complaint relates to the Headmaster or a governor, the Chair of Governors should be contacted instead. If your complaint relates to the whole Governing Board you should send your complaint, marked confidential, to the school office "for the attention of the complaints co-ordinator". All complaints will be dealt with promptly and, as far as possible, in confidence.

Normally **you must make a formal complaint no later than 3 months after the incident** though the school may waive this in exceptional circumstances.

### **Stage 2: Formal Consideration by the Headmaster**

The Headmaster (or designate) will investigate all formal complaints and will report the outcome of the investigation to you. The Headmaster (or designate) will hold such discussions as are appropriate with all relevant people, keeping records as necessary. Within 10 working (school) days of receipt of your complaint, the Headmaster (or designate) will write to you with any action that the school will take. If further necessary investigations will delay the response, you will be told of the new deadline and the reasons why.

### **Stage 3: Appeal to a Panel of Governors**

If you still remain dissatisfied with the decision or action taken at Stage 2, you may appeal to a Governors' Appeal Panel. This is a formal procedure and you must put your request to appeal in writing, by email or mail, to the Chair of Governors. A Clerk will be appointed to convene an Appeal Panel to consider your complaint afresh. The intention is to hold the appeal hearing within 20 working (school) days of your request for an appeal being received by the Chair of Governors. However, the overriding principle is that it should be at a convenient time for you. At the Appeal you would normally present your complaint and the Headmaster (or a designate) the School's response. The procedure for such an Appeal is at **appendix 1**. The Appeal Panel will comprise 3 governors, none of whom have had any dealings with the case, and one of whom may be an independent member. The minutes of the Appeal will be recorded by the Clerk, and both you and the School will be advised of the Panel's decision within 48 hours. You will also receive the Clerk's notes of the meeting within 20 working (school) days.

The full governing board will be notified that there has been an appeal but no details of the appeal will be disclosed.

#### **Stage 4 : Pursuing the complaint with the DfE**

The appeal to governors (Stage 3) is the final stage of the school's procedures. If you remain dissatisfied, you may pursue your complaint further with the Department for Education.

#### **Management of Serial or Persistent Complaints**

The School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. The School 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. This aspect of policy is written using the DfE's Best Practice Guidance<sup>1</sup>. Details of how the school will respond to such situations are recorded within Appendix 3.

**Approved by the Curriculum Governors**

**November 2019**

## Appendix 1

### RIPON GRAMMAR SCHOOL PROCEDURE FOR GOVERNORS' APPEAL HEARINGS

#### Introduction

This procedure applies to all appeals against decisions for which the governing body is directly responsible. This includes

- appeals arising from complaints to the school
- compassionate appeals requesting special consideration from the governing body

**No appeal will be accepted until all other school procedures have been exhausted.**

**All appeal requests must be made in writing** or by email to the Chair of Governors, c/o Ripon Grammar School.

#### Before the hearing

The Clerk, or other school officer, will handle all the administrative arrangements.

The appellant will be asked to set out, in writing, the reasons for the appeal.

Similarly the school will be asked to set out, in writing, the reasons for its decisions on the issue, and any actions taken which led to the appeal request.

Both submissions will be made available to the appellant, the school, and the panel before the appeal hearing.

The Clerk will arrange for the hearing to take place at the earliest mutually convenient date. All submissions will be sent to the parties at least 3 working (school) days before the hearing.

#### At the hearing

The appellant will be expected to attend and may be accompanied by a friend or relative. Legal representation is not allowed.

The school will be represented by the Headmaster and/or another member of staff connected with the complaint.

Notes of proceedings will be taken by the Clerk or an alternative school officer.

No members of the panel will have had any previous involvement with the case.

No Governor who is a member of the school's staff (whether an elected staff governor or otherwise) may be a member of the panel.

#### Procedure

The appeal hearing will be as informal as possible commensurate with the fact that it is part of a formal procedure. The style will not be confrontational or adversarial but will be a genuine attempt to allow the appellant and the school to present their sides on the issue. It is recognised that for many appellants it might be the only appeal they have ever engaged in so the Chair will need to put them at ease throughout the hearing.

- The Chair of the Appeal Panel will welcome the appellant and the representative(s) of the school.
- The Chair will check that all parties have received and read all previously distributed submissions.
- The Chair will ask whether there is any late additional material. If there is the hearing should be suspended for an appropriate amount of time to give all parties time to read and understand the additional material.
- The Chair will then invite the appellant to present her/his case
- The school may ask questions
- The panel may ask questions
- The Chair will then invite the school to present its case

- The appellant may ask questions
- The panel may ask questions
- The school will then sum up its case without adding anything new
- The appellant will then sum up her/his case without adding anything new
- The appellant and the school will then leave the hearing.

The panel will then deliberate to reach a decision which, if a vote is needed, will be determined by a simple majority. Any independent member will have the same voting rights as the governor members of the panel. If the voting is tied the Chair will have the casting vote.

**In reaching their decision the panel will decide whether to**

- Uphold the appeal, in which case the panel will direct the school to undertake a course of action  
**or**
- Not uphold the appeal, though the panel may still advise action to be taken to address the cause of the complaint.  
**or**
- Partially uphold the appeal

The panel may, separately, make recommendations to the school on any aspects arising from the appeal which, in the opinion of the panel, will lead to better future practice.

### **Following the hearing**

The appellant and the school will be informed of the panel's decision within 48 hours of the hearing.

Draft notes of the meeting will be circulated first to the Panel for comment and then to the appellant and the school for comments on accuracy within 20 working (school) days of the date of the hearing. The Chair will consider any proposed amendments and sign off the notes as a complete and accurate record.

A copy of the approved notes will be sent to the appellant and to the school.

A copy of all submissions, a copy of the approved notes of the meeting, including the judgement, and copies of all correspondence arising from the meeting will be retained securely.

The full governing board will be informed that an appeal has taken place but no details of the case will be reported.

If the appeal is not upheld the appellant has the right to pursue their request by contacting the Department for Education. There is no further right of appeal to the governing board.

**Appendix 2**

**RIPON GRAMMAR SCHOOL**

**Making a formal complaint**

It will help us if you use this form to make your complaint but please present the details in your own style if you prefer, covering all the points on the form. Please continue your answers on a separate sheet if there is not enough space on this form. When you have filled in the form, send it to the Headmaster or Chair of Governors at the school. If you need any help completing this form please contact the school.

**The school's address is:      Clotherholme Road, Ripon HG4 2DG    tel:      01765 602647**

We will only process your personal data in order to respond to your complaints.

Your name    Mr    Ms    Mrs    Miss    Other .....

First name (BLOCK CAPITALS) .....

Surname (BLOCK CAPITALS) .....

Your address

Postcode

Daytime tel. no.        Mobile tel. no.   

Email address

Do you have any special requirements, for example if English is not your first language, disabilities?

Have you contacted the school about this matter before?      Yes     No

If yes, who did you contact, when and how?

Have you received a reply?

Yes  No

If so, when was this?

Please explain your complaint and how would you like to see the matter resolved? (use additional sheets if required)

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

What actions do you feel might resolve the problem at this stage? (use additional sheets if required)

If you have any documents to support your complaint, please send them with this form. Please tick the box if you would like them returned to you.

We will send an acknowledgement within 5 working (school) days of receiving your communication and will tell you what is happening. If a further response is required, this should reach you within 10 working (school) days.

**FOR SCHOOL USE ONLY**

Complaint reference

Date Received

Acknowledgement sent

Substantive reply sent

## Appendix 3

### RIPON GRAMMAR SCHOOL Managing Serial or Persistent Complaints

- All complaints will be dealt with according to the School's Concerns and Complaints Policy
- Complaints that go beyond the completion of the Concern and Complaints Policy process, up to and including Stage 2, may be viewed as 'serial'.
- Complaints that are judged to be 'vexatious' or 'unreasonable', at any stage of the process, may be viewed as 'persistent' (see Appendix 4)
- For complaints, which are designated as either 'serial' or 'persistent', the School reserves the right to either stop responding or implement a communication strategy.

#### Procedures

- Whenever possible, the Headmaster or Chair of Governors will discuss any concerns with the complainant informally before applying a 'serial' or 'persistent' marking.
- The application of a 'serial' or 'persistent' marking would be made against the subject or complaint itself rather than the complainant.
- If the behaviour continues, the Headmaster or Chair of Governors will write to the complainant explaining that their behaviour is unreasonable and ask them to change it.
- For complainants who excessively contact the School causing a significant level of disruption, the School may specify methods of communication and limit the number of contacts in a communication plan. This plan may restrict the individual to a single point of contact via an email address or limit the number of times they can make contact, such as a fixed number of contacts per term. This will be reviewed after six months. The plan does not prevent a parent's access to information to which they are entitled under The Education (Pupil Information) (England) Regulations 2005.
- In extreme cases, the School may decide to stop responding. This decision will not be taken lightly and will need to satisfy the following steps:
  - The School has taken every reasonable step to address the complainant's concern
  - 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 complainant will be informed of a decision to stop responding.
- If an individual persists to the point that may constitute harassment, the School may seek legal advice.
- In response to any serious incident of aggression or violence, the School will immediately inform the police and communicate its actions in writing. This may include barring an individual from the School.



## **Responsibilities**

- The application of the term 'serial' or 'persistent' will be taken as a result of a consultation between Headmaster and governors.
- Either the Headmaster or Chair of Governors will communicate the School's response to a 'serial' or 'persistent' complaint, and any action forthcoming.

## Appendix 4

### Definitions of 'unreasonable' or 'vexatious' complaints to which the title 'persistent' may be applied

*The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:*

- complaints which are obsessive, persistent, harassing, prolific, repetitious
- 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

*'Unreasonable' or 'vexatious' complaints may be defined, due to the frequency or nature of the contact with the school, as situations where 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.