



**RAINHILL  
HIGH SCHOOL**



**RainhillSixth**

# COMPLAINT POLICY





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<b>STATUS</b>	<b>STATUTORY</b>
<b>RESPONSIBLE COMMITTEE</b>	<b>BOARD OF TRUSTEES</b>
<b>APPROVAL DATE</b>	15th May 2024
<b>RENEWAL DATE</b>	15th May 2025



SCHOOLS IN PARTNERSHIP

**STEPHENSON**

MULTI ACADEMY TRUST

## **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. 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 the Trust, other than complaints that are dealt with under other statutory procedures (such as appeals relating to exclusions or admissions).

Complaints to Stephenson Multi Academy Trust are not limited to parents and carers.

Where the school receives a large volume of complaints about the same topic or subject, the school may respond by publishing a single response to all complainants. If complainants are not satisfied with the schools response, or wish to pursue the complaint further, the normal procedures will apply.

## **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. Rainhill High School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

Concerns should be addressed to the Compliance Officer.

## **How to raise a concern or make a complaint**

A concern can be made by using synergy to contact the relevant member of staff or by emailing the Compliance Officer at [complaint@rainhillhigh.org.uk](mailto:complaint@rainhillhigh.org.uk). 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.

Concerns should be raised with an appropriate member of staff or the Compliance Officer. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors/trustees 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 Stage 2 of the procedure - the principle underlying the complaints procedure is that those reviewing a complaint should have had no knowledge of the matter or involvement at a prior stage and it is not appropriate to set up an informal meeting / correspond with a governor outside of this procedure.

All formal complaints should be made in the first instance, to the Compliance Officer by emailing the Stage 1 form to [complaint@rainhillhigh.org.uk](mailto:complaint@rainhillhigh.org.uk).

For ease of use, the Stage 1 and Stage 2 template complaint form is included at the end of this procedure. 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.

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.

### Anonymous complaints

We will not normally investigate anonymous complaints. However, the Principal 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 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 full school day after the holiday period.

### Scope of this Complaints Procedure

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

### Vexatious Complainants

The local governing body and trusty board reserve the right to reject a complaint from a vexatious complainant.

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>Admissions to schools</li> </ul>	Concerns about admissions should be handled through the appeals process or via the local authority.
<ul style="list-style-type: none"> <li>Matters likely to require a Child Protection Investigation</li> </ul>	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.  In the first instance, any safeguarding issues should be raised with the schools designated safeguarding lead.  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).
<ul style="list-style-type: none"> <li>Exclusion of children from school*</li> </ul>	Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a> .  *complaints about the application of the behaviour policy can be made through the school's complaints procedure.
<ul style="list-style-type: none"> <li>Whistleblowing</li> </ul>	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. 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: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a> . Volunteer staff who have concerns about our school should complain through the school's complaints procedure.

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>Staff grievances</li> </ul>	Complaints from staff will be dealt with under the school's internal grievance procedures.
<ul style="list-style-type: none"> <li>Staff conduct</li> </ul>	Complaints about staff will be dealt with under the school'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.
<ul style="list-style-type: none"> <li>Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
<ul style="list-style-type: none"> <li>National Curriculum - content</li> </ul>	Please contact the Department for Education at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>
<ul style="list-style-type: none"> <li>Statutory assessments of Special Educational Needs</li> </ul>	School SENCo / St Helens Borough Council

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 Rainhill High 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, Rainhill High 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.

## Stage 1

Formal complaints must be made to the Compliance Officer, using the forms provided, by email to [complaint@rainhillhigh.org.uk](mailto:complaint@rainhillhigh.org.uk).

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

The investigation will be delegated to an appropriate member of staff.

During the investigation, the 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 investigator will provide a formal written response within 10 school days of the date of receipt of the complaint.

If the investigator is unable to meet this deadline, the Compliance Officer 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 Rainhill High School will take to resolve the complaint.

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

Complaints about the Principal or member of the local governing board or trustee board must be made to the Compliance Officer, via email to [complaint@rainhillhigh.org.uk](mailto:complaint@rainhillhigh.org.uk).

If the complaint is:

- jointly about the Chair and Vice Chair of the local governing board or
- the entire local governing board or
- the majority of the local governing board

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

If the complaint is:

- about an individual trustee

Stage 1 will be considered by a suitably skilled trustee or an independent investigator appointed by the Trust Board. At the conclusion of their investigation, the independent investigator will provide a formal written response.

If the complaint is:

- jointly about the Chair and Vice Chair of the trustee board or
- the majority of the board of trustees
- the entire board of trustees

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

## 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 – The review panel.

The review panel will consist of a minimum of 3 persons. The panel will include members of the governance board and one member who is independent of the management and running of the school. All members of the panel will have access to the existing record of the complaints process but will have no prior knowledge or involvement pertaining to the complaint, the complainant and relevant representatives of the school.

This is the final stage of the complaints procedure.

A request to escalate to Stage 2 must be made to the Compliance Officer by email, within 5 school days of receipt of the Stage 1 response.

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

The Compliance Officer 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.

The Compliance Officer will 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, an anticipated date will be provided and the complainant will be kept informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Compliance Officer 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.

At any meeting, the complainant will be entitled to be accompanied by another individual 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. Representatives from the media are not permitted to attend.

At least 5 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.

Any written materials will be circulated to all parties at least 2 school days before the date of the meeting. The panel will not accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will 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.

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.

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 Panel Committee will provide the complainant and Rainhill High School with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days.

The letter to the complainant will include details of how to contact the Education and Skills Funding Agency (ESFA) if they are dissatisfied with the way their complaint has been handled by Rainhill High School (details on page 11).

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 Rainhill High School will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the proprietor and the head teacher.

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, along with what actions have been taken, regardless of the decision.

All 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 section 109 of the 2008 Act requests access to them.

Once all stages of the complaints procedure have been completed, the matter will be considered closed, and no further correspondence will be sent.



## **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 2.

The ESFA's responsibility is to ensure academies comply with their funding agreements. If a complaint is submitted, the ESFA 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**

If the ESFA feel an academy did not deal with a complaint appropriately, they 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, the ESFA 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](http://www.education.gov.uk/contactus),

**by telephone:**

0370 000 2288

**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 Principal will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.
- If the behaviour continues, the Principal 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

## STAGE 1 COMPLAINT FORM

Your Name			
Pupil's Name			
Your relationship to pupil			

Address			
Postcode			

Email			
Daytime contact number		Evening contact number	
Complaint for attention of			

<p><b>Outline of complaint</b></p> <p>Include as much detail as possible – nature of complaint, people involved, key dates/ times etc.</p> <p><i>Continue on a separate sheet if required.</i></p>			
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<p><b>What would you like as an outcome from your complaint?</b></p>			
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Your Signature			
Date			

Please complete and return via email to [Complaint@rainhillhigh.org.uk](mailto:Complaint@rainhillhigh.org.uk) or send a hard copy to the school address, marked for the attention of the Compliance Officer

OFFICE USE	
Date received	
Date acknowledgement sent	
Responsible member of staff	



**RAINHILL  
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## STAGE 2 COMPLAINT FORM

Your Name	
Pupil's Name	
Your relationship to pupil	

Address	
Postcode	

Email			
Daytime contact number		Evening contact number	
Complaint for attention of			

**Outline of complaint** - Include details of the complaint – nature of it, who it concerns. *Continue on a separate sheet if required.*

**What action have you already taken to try and resolve your complaint**

Details of actions you have taken to date, including key information pertaining to your stage one complaint, for example: who you addressed the complaint to, any action agreed/taken, key times and dates of communication sent and received etc.

**What would you like as an outcome from your complaint?**

Your Signature	
Date	

Please complete and return via email to [Complaint@rainhillhigh.org.uk](mailto:Complaint@rainhillhigh.org.uk) or send a hard copy to the school address, marked for the attention of the Compliance Officer

OFFICE USE	
Date received	
Date acknowledgement sent	
Responsible member of staff	