



# **COMPLAINTS POLICY**



RGS



# COMPLAINTS POLICY

Newcastle upon Tyne Royal Grammar School

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## INTRODUCTION AND THE AIMS OF THE POLICY

RGS aims to provide the best possible academic, co-curricular and pastoral support and has long prided itself on the quality of the provision given to its pupils, so the School hopes that complaints will be rare. However, there are occasions where parents do have cause to complain to the School. References in this policy to a *Parent* are to a biological parent or any other person with parental responsibility or care for a pupil attending the school.

The procedures outlined in this policy aim to ensure that all complaints made are handled promptly, appropriately and fairly. This policy applies to parents of current pupils and to parents of former pupils if the complaint was initially raised when the pupil was registered at the school or within 3 months following such registration. No complaints made outwith this time will normally be considered. We make every effort to ensure that any complaint is treated seriously and sensitively; parents can be assured that their child will not be penalised in any way for a complaint that is made in good faith.

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## WHAT CONSTITUTES A COMPLAINT?

We shall treat as a complaint any instance where a parent tells us that we have done something wrong, failed to do something that we should have done, or where we have acted unfairly. A complaint may be made about the School as a whole, a specific department or activity, or an individual member of staff. This list is not exhaustive and we shall treat any matter about which a parent of a pupil is unhappy and seeks action by the school as a complaint. In doing so we hope to see where we may be getting things wrong, with a view to taking appropriate action including as required to prevent the same problems re-occurring.

This procedure relates to complaints made in good faith other than those relating to: whistleblowing; staff grievances and disciplinary procedures; applications for admissions to the school; and complaints about services provided by third parties using school facilities or premises.

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## WHO TO CONTACT

- If parents have a concern or complaint they should normally contact their child's tutor or (for a Junior School child) form teacher.
- Where the complaint is about a student's tutor or form teacher a parent should take their concerns directly to the Head of Junior School, Head of Year or Head of Sixth Form, as appropriate. Parents may also wish to follow this route where the issue is particularly serious or sensitive.
- If a complaint relates to a senior member of staff concerns should be taken directly to the Head Teacher.
- Where a complaint relates to or involves the Head Teacher, parents should make their complaint to the Chair of Governors via Clerk to the Governing Body.

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## PROCEDURE

The procedure that the School will follow has three distinct stages, each of which will be conducted by a different person to ensure fairness.



The three stages are:

**STAGE 1:** Informal resolution

**STAGE 2:** Formal resolution

**STAGE 3:** Panel hearing.

Our experience is that, in most cases, problems are satisfactorily dealt with at stage 1.

#### **STAGE 1: INFORMAL RESOLUTION**

Whenever possible, a complaint should be raised within three months of the incident, or where a series of associated incidents have occurred, within three months of the last of these incidents. The School will, however, consider complaints made outside of this time frame if exceptional circumstances apply. A complaint raised outside this timescale should therefore include details of the issues which led to the delay.

On receiving a complaint in person, in writing, by email or by telephone, a tutor or form teacher will make a written record of the concerns raised and the date on which they were received. If the complaint is made in writing or by email, it will normally be acknowledged within 3 working days. In the vast majority of cases we hope that matters will be resolved quickly and informally to the parents' satisfaction. We shall in all cases investigate the matter fairly and appropriately with any relevant staff. We shall do so as quickly as is practicable without compromising the outcome and expect to be able to do so within 10 working days in the majority of cases. If the matter is not resolved within 10 working days, or in the event that the School and the parents fail to reach a satisfactory resolution, then parents will usually be advised to proceed to Stage 2, (Formal Resolution).

#### **STAGE 2: FORMAL RESOLUTION**

If a complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Head Teacher (or the Chair of Governors via Clerk to the Governing Body where such complaint relates to or involves the Head Teacher). This should be submitted within 15 days of the conclusion of Stage 1 above, except where there are extenuating circumstances. There may be occasions where the seriousness of the matter (which may include significant safeguarding matters) means that a parent may choose to make a direct formal complaint to the Head Teacher. In all cases it should be made clear that it is a formal complaint and the **COMPLAINTS FORM** should accompany any letter or email (see Appendix 1).

The Head Teacher, or someone on his/her behalf, will acknowledge receipt of the written complaint within three working days and will decide, after considering the complaint, the appropriate course of action to take. In most cases the Head Teacher, or another senior member of staff not so far involved with the complaint, will offer to meet the parents concerned to discuss the matter. This will usually be within 10 working days of the receipt of the written complaint. If possible, a resolution will be reached at this stage. It may be necessary for the Head Teacher or another senior member of staff to carry out further investigation. Written records of all meetings and interviews held in relation to the complaint will be made. In this case, once he or she is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of the decision and reasons underpinning it, normally within 20 working days of the receipt of the Complaints Form.

If the complaint is against the Head Teacher, the Chair of Governors will call for a full report from the Head Teacher and for any relevant documents. The Chair may also call for a briefing from members of staff, and will, in most cases, offer to speak to or meet with the parents to discuss the matter further. This will usually be within 10 working days from the receipt of the written complaint (unless there is an unforeseen absence). Once the Chair is satisfied that, so far as is practicable, all of the relevant facts have been established, the parents will be informed of the decision in writing, normally within 20 working days of the receipt of the Complaints Form.

If parents are still not satisfied with the decision, they should proceed to stage 3, the Panel Hearing.



### STAGE 3: PANEL HEARING

A panel hearing cannot normally be requested unless Stage 2 of this procedure has been completed. If parents wish to request a panel hearing they should write to the Clerk to the Governing Body, at the school's address. This should normally be submitted within 15 working days of the conclusion of Stage 2 above. The Clerk will then contact the Chair of Governors. The parents should state the outcome they desire and all of the grounds of the complaint. The matter will then be referred to a complaints panel (**THE PANEL**) for consideration. The panel will not normally accept any new areas of complaint which have not been previously raised during Stages 1 and 2. A Stage 3 complaint will usually be acknowledged within three working days and all parties will be kept informed about the arrangements for the convening of the panel. The hearing will then be scheduled to take place as soon as practicable, and normally within 20 working days of the parent's request for a panel hearing.

If the panel deems it necessary, it may require that further details of the complaint or any related matter be supplied in advance of the hearing. Copies of such details shall be supplied to all parties not later than three working days prior to the hearing.

**Aim of Hearing:** The aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant.

**The Remit of the Complaints Appeal Panel:** The Panel can -

- a. dismiss the complaint in whole or in part.
- b. uphold the complaint in whole or in part, and recommend appropriate action to be taken to resolve the complaint.
- c. recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

**NOTE:** It is not within the powers of the panel to make any financial award, nor to impose sanctions on staff, students or parents, although they may recommend these actions to the Head Teacher or the Governing Body.

**Panel Membership:** The panel will consist of three persons not directly involved in the matters detailed in the complaint, one of whom shall be independent of the management and running of the school (including of its parent and teaching bodies). They will be nominated by the Chair of Governors. The independent member of the panel should be someone who has held a position of responsibility and is used to scrutinising evidence and putting forward balanced arguments. Suitable examples include a serving or retired business person, civil servant, the Head or senior member of staff of another school, someone with a legal background or a retired member of the Police force. The Panel will select its own Chair, who will ensure that the proceedings are as informal as possible.

**Hearing Attendance:** The parents may attend the hearing and be accompanied to the hearing by the student(s) concerned, if appropriate, and one other person (who cannot be legally qualified), if they wish, who may speak on their behalf if they feel unable to express themselves as they would like. This may be a relative, teacher or friend. Legal representation will not normally be permitted. Reasonable arrangements will be made in order to facilitate parents' attendance. However, if a parent does not exercise their right to attend a panel hearing, the hearing will still take place unless the parent has indicated that they are now satisfied and do not wish to proceed further.

The following are entitled to submit written evidence in advance and address the Panel -

- a. The parents.
- b. The Head Teacher.
- c. Any other person who the Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the Panel in their decision making.

**Evidence:** All parties will be given the opportunity to submit written evidence to the Panel in support of their position including -

- a. Documents.
- b. Chronology and key dates.
- c. Written statements setting out further detail.

All written evidence must be received by the Clerk no later than 5 working days in advance of the Panel Hearing. The Clerk will distribute the evidence to all parties no later than 3 working days in advance of the Hearing.



The evidence will be considered by the Panel along with the initial submission.

#### Roles and Responsibilities:

The Role of the Clerk. All panels considering complaints must be clerked. The Clerk would be the contact point for the complainant and be required to -

- Set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible.
- Collate any written material and send it to the parties in advance of the hearing.
- Meet and welcome the parties as they arrive at the hearing.
- Record the proceedings.
- Notify all parties of the panel's decisions.

The Role of the Chair of Governors or Nominated Governor -

- Check that the correct procedure has been followed.
- If a hearing is appropriate, notify the clerk to arrange the panel.

The Role of the Chair of the Panel. The Chair of the Panel has a key role, ensuring that -

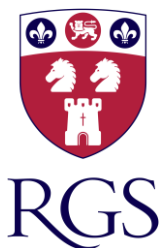
- The remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption.
- The issues are addressed.
- Key findings of fact are made.
- Parents or others who may not be used to speaking at such a hearing are put at ease.
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy.
- The panel is open minded and acting independently.
- No member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.
- Each side is given the opportunity to state their case and ask questions.
- Written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

#### Format of Hearing

- Any witnesses other than the core participants are usually only permitted to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by any witnesses on their behalf.
- Once complete, the Head Teacher is then allowed to address the Chair of the Panel and raise questions for the Chair to consider relating to the statements made by complainant and witness.
- The Head Teacher is then invited to explain the school's actions and be followed by any witnesses for the school.
- Once complete, the complainant is then allowed to address the Chair of the Panel and raise questions for the Chair to consider relating to the statements made by Head Teacher and witnesses.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Head Teacher is then invited to sum up the school's actions and response to the complaint.
- The chair explains that both parties will hear from the panel within the time-scale specified below.
- Both parties leave together while the panel decides on the issues.
- If possible, the panel will resolve the complaint without the need for further investigation. Where further investigation is required, the panel will decide how it should be carried out. The hearing may be adjourned for this purpose. On completion of the hearing the panel will consider all of the facts they consider relevant. They will then make findings and may make recommendations.

Decision: The panel will write to the parents and Head Teacher informing them of its decision; this will usually be within seven working days of the hearing. The decision of the panel will be final. A copy of the panel's findings and any recommendations will be sent by electronic mail or otherwise given to the parents, and, where relevant, any person who may be the subject of the complaint, as well as the Chair of Governors and the Head Teacher.

The decision of the panel is final and will conclude the school's complaints procedures.



## **SAFEGUARDING**

In line with the safeguarding policy, should a complaint relate to a safeguarding issue, immediate contact will be made with the LADO(s) to discuss any allegation, consider the nature, content and context of the allegations and agree a course of action including any involvement of the police.

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## **TIMESCALES FOR COMPLAINTS**

In all cases we shall aim to complete the process as soon as is practicable, whilst allowing sufficient time for a thorough investigation to take place.

It is in everyone's interest to resolve a complaint as speedily as possible: the anticipated timescales for each stage necessary are set out in this policy.

Please note that, for the purposes of this procedure, working days refers to weekdays (Monday to Friday) during term time, excluding bank holidays

Particularly during the period of the Covid-19 pandemic, it is recognised that timescales may need to be adjusted in the event of staff absence or other disruption and that meetings may need to take place virtually.

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## **RECORD OF COMPLAINTS**

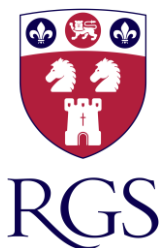
Following the resolution of a complaint, the school will keep a written record of all complaints that proceed beyond Stage 1, whether they are resolved at the informal stage, the formal stage or proceed to a panel hearing, and any action taken by the school as a result of the complaint (regardless of whether the complaint is upheld) for a period of seven years. Where the complaint relates to a safeguarding concern, records containing allegations of abuse will be preserved for the term of the Independent Inquiry into Child Sexual Abuse and at least until the accused has reached normal pension age or for ten years from the date of the allegation if it is longer.

At the School's discretion, additional records may be kept which may contain the following information:

- Date when the issue was raised
- Name of parent
- Name of student
- Description of the issue
- Records of the investigation (if appropriate)
- Witness statements (if appropriate)
- Name of member(s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations)
- Action(s) taken by the school as a result of the complaint.

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 Education and Skills Act 2008 requests access to them.

There was one Stage 2 complaint and one Stage 3 complaint in the academic year 2019-2020.



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## **DATA PROTECTION**

As noted above, correspondence, statements and records relating to individual complaints are normally kept after the resolution of the complaint. These will be kept confidential except for the conduct of any related litigation or when the school is required to disclose information by:

- The Secretary of State for Education under paragraph (k) of Schedule 1 to the Education (Independent Schools Standards) (England) Regulations 2010
- The ISI under Sections 108 and 109 of the Education and Skills Act 2008
- Other legal authority.

Any panel findings and recommendations would also be available for appropriate inspection on the school premises.

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## **MONITORING AND EVALUATION**

The monitoring and evaluation of the effectiveness of this policy and its implementation will be carried out by the Head Teacher. Stage 1 complaints are kept under on-going review by the Pastoral Deputy Head and Academic Deputy Head. The Senior Leadership Team (SLT) will meet to review the complaints log at least once each year.

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## **PERSISTENT CORRESPONDENCE**

Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, this may be regarded as vexatious and outside the scope of the policy.

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## **SLT LEAD: HEAD TEACHER**

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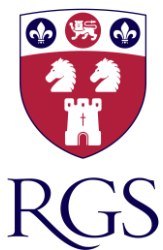
## **CONTACT DETAILS**

Royal Grammar School, Eskdale Terrace, Newcastle upon Tyne NE2 4DX

Tel: 0191 281 5711

General enquiries: [hm@rgs.newcastle.sch.uk](mailto:hm@rgs.newcastle.sch.uk)  
or [communications@rgs.newcastle.sch.uk](mailto:communications@rgs.newcastle.sch.uk)

[www.rgs.newcastle.sch.uk](http://www.rgs.newcastle.sch.uk)



## APPENDIX 1

Please complete and return to the Head who will acknowledge receipt and explain what action will be taken.

Your name:

Student's name:

Your relationship to the student:

Address:

Postcode:

Daytime telephone number:

Evening telephone number:

Please give details of your complaint:





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What action, if any, have you already taken to try and 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?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

**Official use**

Date acknowledgment sent:

By whom:

Complaint referred to:

Date: