

Richard Lander School

Complaints Procedure



Policy Effective from: September 2025

Responsibility: Head/Deputy Head/Governing Body

Review: Reviewed and monitored by: Head/Deputy Head/Governing Body

Review Date: September 2026

Introduction

The school welcomes feedback on the education, support and care it provides. Should there be any complaint about aspects of our work, the complaints procedure can be used as a framework for registering this and this should provide the framework for resolution.

Throughout this policy the term 'we' refers to the school, the term 'you' refers to the complainant.

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 Richard Lander 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.

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 / 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. Richard Lander School takes concerns seriously and will make every effort to resolve matters as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Deputy Headteacher will refer you to another member of staff. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Deputy Headteacher will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Richard Lander School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to raise a concern or make a complaint

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.

Concerns should be raised with the member of staff concerned in the first instance, at the 'informal resolution' stage (see detail below). Should a complaint not be resolved at the informal stage, only then should it be progressed to the 'formal resolution' stage. Complaints should not be raised directly to the Headteacher prior to raising it at the informal stage but without a satisfactory resolution (Stage 1 – see below). Similarly, complaints should not be raised with the governing body before both Stage 1 (informal) and Stage 2 (formal) of the complaint have been progressed but without a satisfactory resolution.

Complaints that involve or are about the Headteacher should be addressed to the Chair of Governors. Such complaints may be made in writing via the school office and addressed to the Clerk of Governors, and marked 'private and confidential' or by direct email to the Clerk to Governors at: clerk@richardlander.cornwall.sch.uk for the attention of the Chair of Governors.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to Governors as per the detail above, again marked 'private and confidential'.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office and support will be given by either the Deputy Headteacher or if the complaint is about the Headteacher or governors, by the Clerk to Governors. 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 Headteacher 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 only 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 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 Richard Lander School, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with Cornwall Council.
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. 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 Referral Unit (MARU): LADO details: LADO@cornwall.gov.uk (01872 326536) MARU Details: multiagencyreferralunit@cornwall.gcsx.gov.uk (0300 123 1116)
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. Relevant school policies may be found on the school website including: • RLS Behaviour Policy • RLS Exclusions Policy National legislation which may be relevant to a complaint include: • Equality Act 2010

	• Freedom of Information Act 2000 • Data Protection Act (DPA) 2018 • General Data Protection Regulations (GDPR)
• Whistleblowing	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: www.education.gov.uk/contactus. Volunteer staff who have concerns about our school should complain through the school's complaints procedure.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff conduct	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.
• Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
• National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

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 Richard Lander 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, Richard Lander School wants to resolve any complaint made. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. Where this is the case, 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.

Registering a Complaint

STAGE 1 – Informal Resolution

The informal resolution stage has two separate stages for resolution:

Stage 1 (a) Member of staff or Pastoral Manager

If a complaint is related to a curriculum area or to an aspect of wider school life, such complaints will normally be dealt with by the relevant member of staff who has direct involvement. Complaints should therefore be made in writing to:

- The member of staff who is the subject of your complaint
- The year group Pastoral Manager (if it is a pastoral / bullying / welfare issue)

Stage 1 (b) Assistant Headteacher

Should the complaint not be resolved at this stage, the complaint should be elevated to the Assistant Headteacher KS3 if your child is in KS3 or Assistant Headteacher KS4 if your child is in KS4.

Note: if the matter is considered to be a serious one, and the complainant feels it is not appropriate to address the complaint initially with the member of staff or relevant Pastoral Manager, they can make their initial complaint under the informal resolution stage directly to the Assistant Headteacher KS3/4. It will be for the Assistant Headteacher KS3/4 to assess

whether to lead on resolving the issue or recommending it is addressed at Stage 1(a) of the procedure.

It is expected that most issues raised at the informal resolution stage would be resolved within 10 school days. Should any investigation likely take longer than this timeframe, the school will inform the complainant of this in writing.

Should the informal process not achieve satisfactory resolution, either party may initiate a move to the formal stage of the procedure (Stage 2 – below).

Stage 2 – Formal written complaints

Complaints at Stage 2 of the process should be communicated in writing to the Headteacher using Appendix 1 (see below). Written complaints should be posted to the school or handed in at school reception marked for the attention of the Headteacher. Alternatively, a complaint may be raised through the PA to the senior team whose email address is: NWherry@richardlander.cornwall.sch.uk for the attention of the Headteacher, marked as 'private and confidential'.

The Headteacher will make an initial assessment about whether the matter has rightfully moved to the formal stage or whether it should be referred back to Stage 1 if this step has been omitted from the complaints process and the matter can best be resolved at this level.

The Stage 2 process is defined below:

- The Headteacher will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days
- The Headteacher may be able to respond swiftly and immediately, (e.g. if the matter is something which can be resolved by referring to a relevant school policy)
- It may be appropriate for the complainant to meet with either the Headteacher or Deputy Headteacher, to seek initial resolution through dialogue. This may involve other school staff such as the Assistant Headteacher KS3/4. Such a meeting will normally be convened within 10 working days of the complaint being received by the Headteacher.
- Upon resolution, the Headteacher will write to the complainant to summarise the discussion and detailing specific aspects of the resolution made

For complaints which require further investigation, the Headteacher will normally:

- Write to the complainant within 5 working days of the receipt of the complaint
- Delegate responsibility for investigation to an appropriate senior member of staff, usually an Assistant Headteacher or Deputy Headteacher who will report back to the Headteacher once the investigation is complete. This will normally take no longer than 10 working days to complete.

- Write to the complainant to outline the results of any investigation within 5 working days of the investigation being completed, including any remedial action which may be required by the school

During the investigation, the member of senior staff leading on the investigation 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
- Provide a written report to the Headteacher detailing the actions taken during the investigation, the evidence presented and the senior staff's view on whether the complaint is upheld.

Upon receipt of the report of the investigation, the Headteacher will provide a formal written response within 5 school days (and 20 school days from the date of receipt of the complaint.)

If the Headteacher is unable to meet this deadline, he / she 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 Richard Lander School will take to resolve the complaint.

The Headteacher will advise the complainant on how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

STAGE 3 – The governing body

Complaints can be considered under Stage 3 if:

1. The processes outlined under Stage 1 and Stage 2 have not resolved a complaint to the satisfaction of the complainant
2. There is a more specific complaint against the Headteacher or a member(s) of the Governing Body

Stage 3 of the complaints process has 2 separate stages for resolution:

Stage 3 (a) Chair of Governors

The complainant should write to the Chair of Governors in sealed envelope, marked 'Private and Confidential' and delivered to the school reception, addressed to the Clerk to the Governing Body. Alternatively, the complainant can email the Clerk to Governors directly at: clerk@richardlander.cornwall.sch.uk

This communication should detail:

- The initial complaint raised

- Those aspects which remain unresolved through Stage 2 of the process

A request to escalate to Stage 3 must be made to the Clerk to Governors within 20 school days of receipt of the Stage 2 response.

The complaint will be addressed directly by the Chair of Governors or by another senior governor if the Chair of Governors is not available.

As per the process defined under Stage 2, the Chair of Governors may decide to invite the complainant to meet with him/her, to outline the complaint in more detail, further to what has been supplied in writing. The decision to meet ahead of an investigation rests with the Chair of Governors. Any meeting held between the complainant and the Chair of Governors will be minuted.

Depending on the nature of the complaint, the Chair of Governors may arrange to meet with staff who have conducted aspects of the investigation under Stage 2 of the process, and consider any documentation or statement to support this.

The investigation by the Chair of Governors should normally be completed within 20 school days of receipt of the complaint, unless there are circumstances which require a longer investigatory period. The complainant will be informed in writing should more time be required.

The Chair of Governors will send a formal written response to the complainant, within 5 school days of the completion of the investigation.

This gives a target of 5 school weeks for the completion of this stage of the procedure.

(Note: Should the Chair of Governors be the subject of a complaint, the complainant should send the written complaint directly to the Vice-Chair of Governors - using the process identified above).

Following investigation, the Chair of Governors will decide on one of two outcomes:

- Recommend that appropriate remedial action is necessary to resolve the complaint
- Confirm that all internal investigative measures have been exhausted and uphold the original response under Stage 2 of the process.

The decision is confidential to the complainant and to the governing body.

Stage 3 (b) Panel of Governors

Should a complaint not be resolved through the intervention of the Chair of Governors, the complainant may request that their complaint is heard by a panel of 3 governors (which will not include the Chair of Governors or other senior governor who has had prior involvement in this case).

The complainant should write to the Clerk to Governors in sealed envelope, marked 'Private and Confidential' and delivered to the school reception. Alternatively, the complainant can email the Clerk to Governors directly at: clerk@richardlander.cornwall.sch.uk

Again, this communication should detail:

- The initial complaint raised
- Those aspects which remain unresolved through Stage 2 & Stage 3 of the process

A request to escalate the complaint to a panel of governors must be made to the Clerk to Governors within 10 school days of receipt of the response from the Chair of Governors (or other senior governor who has investigated their complaint).

As per the process defined under Stage 2, the panel of governors may decide to invite the complainant to meet with them, to outline the complaint in more detail, further to what has been supplied in writing. The decision to meet ahead of an investigation rests with the panel of governors. Any meeting held between the complainant and the panel of governors will be minuted .

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.

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.

Representatives from the media are not permitted to attend.

At least 10 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 10 school days before the meeting.

Any written material will be circulated to all parties at least 5 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.

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.

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.

Depending on the nature of the complaint, the panel of governors may also subsequently arrange to meet with staff who have been involved in or conducted aspects of the investigation under Stage 2 of the process, and consider any documentation relevant to this.

The investigation by the panel of governors should normally be completed within 20 school days of receipt of the complaint, unless there are circumstances which require a longer investigatory period. The complainant will be informed in writing should more time be required.

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 Committee will provide the complainant and the Headteacher with a full explanation of their decision and the reason(s) for it, in writing, within 10 school days from the end of the period of investigation. Where appropriate, it will include details of actions Richard Lander School will take to resolve the complaint.

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 Richard Lander School.

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, co-opted governors.

STAGE 4 – Department for Education

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.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Richard Lander School. They will consider whether Richard Lander 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, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

Complaint Form: STAGE 2

Please complete and return to The Headteacher (via the school office or via email: NWherry@richardlander.cornwall.sch.uk) who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the school about it.

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 acknowledgement sent:

By who:

Complaint referred to:

Date:

Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Complaints Investigator (Stage 2)

The complaints investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children/young people and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the Headteacher that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Headteacher will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Clerk to the Governing Body

The Clerk is the contact point for the complainant / Chair of Governors / panel of governors at Stage 3 of the process and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 & 2 paperwork, school and complainant submissions) and send it to the parties in advance of any meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

Chair of Governors / Panel of Governors – Panel Chair

The chair of the panel of governors, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself or in subsequent interviews or written submissions by staff after the meeting
- the issues are addressed
- key findings of fact are made

- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk

Governor panel members (Stage 3b)

Members of the governing body who form the panel to hear the complaint should be aware that:

- the meeting must be independent and impartial, and should be seen to be so

No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting

Parents/carers often feel emotional when discussing an issue that affects their child.

- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The committee should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.

Managing serial and unreasonable complaints

Richard Lander School 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.

Richard Lander School 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 or Deputy Headteacher will communicate 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 Richard Lander School staff, 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 the site of Richard Lander School.

The school may also seek legal advice on any matter detailed above.

(Please also refer to the school's Mutual Respect Policy, available on the school's website, for more information in this regard.)