

HITHERFIELD PRIMARY SCHOOL AND CHILDREN'S CENTRE



COMPLAINTS' PROCEDURE

'Our vision is to create a school community where everyone feels valued, has the opportunity to explore and develop their strengths and is able to participate in new experiences. We aim to become an inspirational school to produce good citizens for the future in an atmosphere that promotes confidence, high academic achievement, physical health and emotional well-being.'

Document Control

Change Record

Date	Author	Version	Change Reference
			No Previous Document
8-Nov-07	Laura	Complaints procedure.001_(D)	Created new draft document
Sept - 09	PP+C	Complaints procedure.002_(D)	New version Created by PP+C committee
Nov 2013	Chris and Dom	Complaints procedure.003_(D)	Reviewed
Dec 2013	GB	Complaints procedure.004	Agreed by GB, subject to the addition of support for the complainant
November 2017	GB	Complaints Procedure.004	Agreed by Resources Committee & recommended to GB
January 2020	Michael Ball		Reviewed in the light of new government guidance. Agreed by LAPD & recommended to FGB.
January 2021			Reviewed by LAPD and recommended to FGB

Distribution

Reviewers	Approvers	Distribution
LAPD Committee	Full Governing Body	All staff, Governors and parents

This document sets out the school's procedure for addressing complaints. It should be used only when informal attempts to resolve problems have been unsuccessful. If you have any concerns about the school or the education provided, please discuss the matter with your child's class teacher or a senior teacher at the earliest opportunity. The school considers any concerns very seriously and most problems can be resolved at this stage.

Please note that this procedure does not apply to issues concerning admissions, exclusion of children from school, matters likely to require a Child Protection Investigation, statutory assessments of Special Educational Needs, school reorganisation proposals, staff grievances or staff conduct. These are the subject of separate complaints procedures. Copies of these procedures can be obtained from the school.

If you require support to complete this form, including support from a translator, then please contact the main school office.

All other complaints are handled by the school according to the arrangements set out below.

Aims and objectives

The school actively seeks the views and opinions of all members of our community. The school will give careful consideration to all complaints and deal with them fairly and honestly. It will provide sufficient opportunity for any complaint to be fully discussed, and aim to resolve it through open dialogue and mutual understanding.

Framework of principles

This Complaints Policy and Procedure must;

- be easily accessible and publicised,
- be simple to use and understand,
- be impartial,
- be non-adversarial,
- allow swift handling with established time limits for action and keeping people informed of the progress,
- ensure a full and fair investigation by an independent person where necessary,
- respect people's desire for confidentiality, wherever possible (some information sharing may be necessary to carry out a thorough investigation),
- address all points of issue, providing an effective response and appropriate redress, where necessary, and
- provide information to the school's senior management team so that services can be improved.

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 about any provision or 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.

A complaint must 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.

How to raise a concern or 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'.

As a matter of daily routine, schools receive numerous contacts from parents and other interested parties. Many of these will be resolved simply by providing information or through the arrangement of an informal meeting. Therefore the initial approach should be made to the school office, or to the individual member of staff who is likely to be able to provide the necessary information.

In some cases it may be felt necessary to request a meeting with a senior member of staff. Any such request should be made via the school office, preferably in writing. The request will need to include sufficient details to allow the school to decide whether a meeting is necessary, who should be asked to attend the meeting and to make any necessary preparations.

The procedure is likely to stop at this stage if the concern has been explained satisfactorily, or a shared understanding has been reached on the issue being raised.

Formal Complaints Procedure

The Complaints Procedure has two formal stages. It is important that, at each stage, the person or Panel investigating the complaint makes sure that they:

- establish what has happened so far, and who has been involved,
- clarify the nature of the complaint and what remains unresolved,
- meet with the complainant or contact them (if unsure or further information is necessary,
- clarify what the complainant feels would put things right,
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish,
- conduct the interview with an open mind and be prepared to persist in the questioning, and
- Keep notes of the interview.

The school should be in the position to produce documentary evidence that the complaint has received fair and proper consideration within the school's procedure.

At each stage, it would be helpful to clarify exactly who will be involved, what will happen, and how long it will take. There may, on occasion, be the need for some flexibility, for example the possibility of further meetings between the complainant and the member of staff directly involved, and further investigations may be required after the appropriate person has met with the complainant.

At each stage in the procedure all parties will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or part. In addition, it may be appropriate to offer one or more of the following:

- an apology,
- an explanation,
- an admission that the situation could have been handled differently or better,
- an explanation of the steps that have been taken to ensure that it will not happen again, and/or
- an undertaking to review school policies in light of the complaint.

It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence. It is also important to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues. If the complaint is rejected, it is important to reassure the complainant that the matter has been thoroughly investigated.

Written replies to complainants should aim to answer all the points of concern, be factually correct, avoid jargon and tell the person what to do next if they are still not satisfied. It may be appropriate for the Headteacher, Chair or Complaints Governor to telephone the complainant but it is good practice to follow this up with a letter to make sure there is no misunderstanding.

Stage 1

If a complainant feels that a concern has not been addressed through the informal stage, and wishes to have the matter formally investigated by an appropriate person from the school (See table below), they should complete a complaint form (Annex 1). If they would like help completing the form, the school will be happy to provide the assistance of someone unconnected with the complaint.

If the complaint is:

- Jointly about the Chair and Vice Chair, or
- The entire governing board, or
- The majority of the governing board

Stage 1 will be considered by an independent investigator appointed by the clerk to the governing board.

The person carrying out the investigation will review the way in which the complaint has been handled by the school and ensure that the issues have been dealt with properly and fairly. He/she will normally write to you with the outcome of this process within 15 working days of receiving the complaint.

If it becomes apparent that the complaint is a disciplinary or capability issue, then the matter will be dealt with by following the appropriate procedure rather than the complaints procedure. You will be notified if this is the case with your complaint, but you are not entitled to know which procedure or the final outcome.

Nature of Contact	Appropriate person to receive contact	Relevant Policy/ Procedure
Request for published information	School Office	School Website FOI Act Charging Policy
Request for personal pupil information	Executive Headteacher or Senior Member of Staff	Data Protection Act (Subject Access Request, SAR)
Complaint about Governing Body (GB) policy (content or application)	Chair of GB / Clerk to GB	Complaints procedure

Concern about the provision of facilities or services by the school	Executive Headteacher	Complaints procedure
Allegation about the conduct of a member of staff	Executive Headteacher or Chair of GB (if allegation is against Executive Headteacher)	Disciplinary Procedures (confidential to school and employee)
Allegation of verbal or physical assault by a member of staff on a pupil	Executive Headteacher or Child Protection Officer or Chair of GB (if allegation is against Executive Headteacher)	Local Child Protection Procedures (confidential to school, LA Child Protection Officers and employee)
Allegation about capability of a member of staff	Executive Headteacher or Chair of GB (if allegation is against Executive Headteacher)	Capability and Appraisal Policies
Conduct of another pupil (eg Bullying)	Headteacher or Senior Member of Staff	Behaviour and Discipline Policies (confidential to school and parents of pupil)
Discipline of pupil	Executive Headteacher or Senior Member of Staff	Behaviour and Discipline Policies (confidential to school and parents of pupil)
Content of or failure to maintain a statement of SEN	Assistant Headteacher for Inclusion	LA Procedures
Admissions	Local Authority Admissions department	LA admissions policy and procedure
Exclusion	Local Authority	Exclusion Appeal Procedures
Failure to provide the National Curriculum entitlement or an inappropriate curriculum	Executive Headteacher	Complaints procedure
Breakfast or Afterschool Club or One O'Clock Club	Executive Headteacher or B/ASC Manager or One O'Clock Club manager	B/ASC Policy Charging Policy Complaints procedure
Payments	School Business Manager	Charging Policy Complaints procedure

Decision to remove licence for a person to enter the school site (banning)	Chair of GB / Clerk to GB	GB Appeal Committee
Complaint about Executive Headteacher or a member of the governing board	Clerk to the governing board	Suitably skilled governor appointed by the Chair (or Vice Chair if complaint is about Chair)
Complaint about both Chair and Vice Chair jointly, or the entire FGB or a majority of the FGB.	Clerk to the governing board	Independent investigator appointed by the FGB.

If the complainant is not satisfied with the result from Stage 1, they may choose to refer their complaint to Stage 2 of the procedure. This must be done in writing to the clerk to the governing board via the school office within 15 working days of the completion of Stage 1. The clerk will acknowledge receipt and they will aim to convene the meeting within 15 school days of receipt of the request. If this is not possible, the clerk will provide an anticipated date and keep the complainant informed. If the complainant rejects the offer of three proposed dates, without good reason, the clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from all parties.

Stage 2

At this Stage, the complaint will be considered by a panel of 3 Governors depending on who carried out the investigation in Stage 1, unless the complaint is about both the chair and vice chair, or the entire governing body, or the majority of the governing body, in which case Stage 2 will be heard by a committee of independent governors sourced and convened by the clerk.

- A. If Stage 1 was investigated by the Headteacher or a senior member of staff nominated by the Headteacher, the panel will consider the manner in which the complaint was addressed and decide whether it has been properly dealt with. The general principle is that the school should be able to produce documentary evidence to show that the complaint has received fair and proper consideration within the school's procedure. If they have any concerns, they may ask the Headteacher to re-open the investigation. The complainant will be kept informed of any delay.
- B. When Stage 1 has been investigated by the Chair or nominated Governor, Stage 2 will be carried out by a panel of 3 Governors, who will meet to consider the complaint and make a final decision about it on behalf of the Governing Body.

The panel will consist of Governors who have no detailed prior knowledge of the complaint, or connection with the complainant. The meeting will normally take place within 15 working days of your request.

The complainant will have the opportunity to submit written evidence on the complaint prior to the meeting of the Panel and also to attend, accompanied by a friend/partner if they wish. Persons complained about will be given the same opportunities. Generally legal representatives are not encouraged to attend the panel meeting, but there may be occasions when legal representation is appropriate. Representatives from the media may not attend. The panel will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. Any written material will be circulated to all parties at least three school days before the date of the meeting. The panel meeting will be held in private. Electronic recordings of meetings are not normally permitted unless a

complainant's own disability or special needs require it.

The panel will consider all the evidence presented. The panel can:

- uphold the complaint in whole or part,
- dismiss the complaint in whole or 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 and where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Panel will write to you with its conclusion within five working days of the meeting. 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.

Next Steps

The decision of the Panel is final. If the complainant believes that their complaint was not handled in accordance with this published Complaints Policy or that the school acted unlawfully or unreasonably in the exercise of their duties under education law, they can refer the complaint to the Department for Education online at www.education.gov.uk/contactus or by telephone on 0370 000 2288 or by writing to:

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

Monitoring and review

The Governing Body monitors the Complaints Procedure, in order to ensure that all complaints are handled properly. The Headteacher logs all formal complaints received by the school and records how they were resolved. Governors examine this log on an annual basis and consider the need for any changes to the Procedure.

Availability

A copy of this procedure is available to all parents on request and is also contained in the school prospectus, advertised through posters around the school, and on the school website. A child friendly complaint procedure will be displayed and shared with the children.

Vexatious complaints

The vast majority of complaints are resolved by informal contact. Sometimes problems arise where the complaints are unreasonable and are not seeking to have a situation remedied but instead are determined to extract retribution for some real or imagined wrong. For these cases please see Appendix 6.

Additional information

A parent may request in writing to see, or have a copy of, their child's educational record. A child's educational record, or file, is usually kept in the main school office and contains their annual written reports and any other written correspondence between the school and the parent. The child's file is

sent on to the child's next school, once they leave Hitherfield and the child's next school has contacted us to confirm they are attending the new school.

Please note that accident reports are kept separately, as they need to be kept by the school for a specified period. Copies are available upon request.

If you believe further information is being held then you will need to specify what information you require and you may decide to request a Subject Access Request (SAR).

SUMMARY OF COMPLAINTS PROCEDURE FOR AREAS OF HEADTEACHER'S RESPONSIBILITY

Informal

Complaint at school level – complainant should try and resolve the problem with the school (See Appendix One).



Resolved?



Yes. No further action.



No. Complainant is given copy of the complaint form and offer of support in completing it.



Formal – Stage 1

Form received by school – Is complaint about areas of Headteacher's responsibility or Governing Body's responsibility?



Headteacher's responsibility – Headteacher deals with matter or designates senior member of staff.



Resolved?

Yes. No further action.



No. Complainant wishes to move to Stage 2 of the procedure and notifies the school in writing within 15 working days



Formal – Stage 2

Complaint form passes to the Governor Complaints Panel to consider the complaint within 15 working days of the complaint being passed to the Governing Board. It consists of 3 governors, with no prior knowledge of the complaint who will consider written and verbal submissions from the complainant and the Executive Headteacher. The panel considers the complaint and makes a final decision on behalf of



Resolved?

Yes. No further action



No. The complainant can refer the complaint to the Department for Education.



Panel writes to complainant with its conclusion within 5 working days of the meeting.



Resolved?



Yes. No further action.



No. The complainant may decide to write to Ofsted, if they have not already done so, or the Secretary of State for Education at the Department for Education (DfE), if they feel the school has acted unreasonably or not followed the correct procedures.

Summary of Complaints Procedure for areas of Governing Board responsibility



Governing Body's responsibility – Chair deals with matter or designates a Governor.





No. Complainant writes to the school and notifies the school of the complaint.

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Panel writes to complainant with its conclusion within 5 working days of the meeting.



The Panel meets to consider the complaint and make a decision on behalf of the Governing Body (see Appendix Four).

Formal – Stage 2

Complaint form passes to the Governing Body.



A Governor Complaints Panel is set up to consider the complaint within 15 working days of the complaint being passed to the Governing Body (see Appendix Two). It consists of 3 Governors, with no prior knowledge of the complaint, who will consider written and verbal submissions from the complainant and Chair of Governors (or designated Governor).





Resolved?



Yes. No further action.



No. The complainant may decide to write to Ofsted or the Secretary of State for Education at the Department for Education (DfE), if they feel the school has acted unreasonably or not followed the correct procedures.

Appendix One - COMPLAINT FORM

Please complete and return to Chris Ashley-Jones (Headteacher) who will acknowledge receipt and explain what action will be taken.

<p>Your name:</p> <p>Pupil's name:</p> <p>Your relationship to the pupil:</p> <p>Address:</p> <p>Postcode:</p> <p>Day time telephone number:</p> <p>Evening telephone number:</p> <p>Please give details of your complaint:</p> <p>What action, if any, have you already taken to try and resolve your complaint? Who did you speak to and what was the response?</p>

What actions do you feel might resolve the problem at this stage?

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

Signature:

Date:

Official use –

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

Appendix Two – ESTABLISHING A COMPLAINTS PANEL

The Governing Body should agree the composition of the Complaints Panel at the first meeting of the Governing Body each year. It is recommended that the names of 4 or 5 Governors are agreed from whom a Panel of three may be drawn.

There are several points which any Governor sitting on a Complaints Panel needs to remember:

- It is important that the hearing is independent and impartial and that it is seen to be so. No Governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the Panel, Governors need to try and ensure that it is a cross-section of the categories of Governor and sensitive to the issues of race, gender and religious affiliation.
- The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- An effective Panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The Panel Chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.
- Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The Panel needs to be aware of the views of the child and give them equal consideration to those of adults.
- The Governors sitting on the panel need to be aware of the Complaints Procedure.

Appendix Three – REMIT OF THE COMPLAINTS PANEL

The Panel needs to consider whether the complaint:

- relates to a decision taken by the Headteacher, member of staff or the Governing Body, or
- is about the way a complaint or concern was handled.

If the complaint was in relation to a decision taken by the Headteacher or member of staff, the panel will need to consider whether:

- A.** it was a decision within the Headteacher's responsibility, or
- B.** an area where the Governing Body has responsibility, or share responsibility but have delegated this to the Headteacher.

If the complaint relates to **A**, the Panel can:

- consider the manner in which the complaint was addressed but not consider an alternative outcome, or
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

If the complaint relates to **B**, the Panel can:

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

Appendix Four - CHECKLIST FOR A PANEL HEARING

If for any reason this Procedure cannot be followed:

The Governing Body, in consultation with the Local Authority, will put in place an alternative fair process.

The Panel needs to take the following points into account, whilst ensuring that the hearing is conducted in as informal manner as possible:

- Witnesses are only required 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 their witnesses.
- The Headteacher may question both the complainant and the witnesses after each has spoken.
- The Headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Headteacher and the witnesses after each has spoken.
- The Panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Headteacher 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 five working days.
- Both parties leave together while the Panel decides on the issues.

Appendix Five – 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 and 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 acts 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 all parties must be given the opportunity to consider and comment on it.

Suggested format of a Complaint Panel

The Review Process will be carried out by a panel of 3 members of the Governing Body. The panel will hear the complaint at a meeting attended separately by the complainant and the Head Teacher. Written evidence is submitted in advance to all parties and verbal evidence will be given at the review meeting.

The meeting will be conducted in an informal manner with each party treating the other with respect and courtesy. The conduct of the meeting is as follows:

Part 1

1. The complainant and any representative will enter the room.
2. The Chair of the panel will welcome the complainant introduce the members of the panel, explain the process of the hearing and confirm the complaint that is to be heard.
3. The Chair of the panel will confirm that all parties have copies of the documentation submitted by the complainant and the Head Teacher, as well as the names of any witnesses the complainant has indicated s/he wishes to call.
4. The panel will hear the complaint
5. The panel will the have the opportunity of asking the complainant questions regarding the complaint
6. The complainant will call any witnesses
7. After the witness(es) have given their statements the panel may then ask any questions of the witness(es) regarding their statements
8. The complainant or their representative will then have to opportunity of summing up their complaint.
9. The Chair of the panel will explain that the panel will consider the issues and a written decision will be sent in writing within ten working days.
10. The complainant and any representative will then withdraw.

Part 2

1. The Head Teacher and any representative will enter the room
2. The Chair of the panel will introduce the members of the panel, explain the process of the hearing and confirm the complaint that is to be heard. The Chair of the panel will confirm that all parties have copies of the documentation submitted by the

complainant(s) and the Head Teacher, and the names of any witnesses that the Head Teacher has indicated s/he wishes to call.

3. The Head Teacher will respond to the complaint
4. The panel will then have the opportunity of asking the Head Teacher any questions regarding her/his response.
5. The Head Teacher will call any witnesses
6. After the witnesses have given their statements the panel may then ask any questions of the witness(es) regarding their statements
7. The Head Teacher or his/her representative will then have the opportunity of summing up their response
8. The Chair of the panel will explain that the panel's conclusion will be sent, in writing, within ten working days.
9. The Head Teacher and her/his representative will then withdraw.

The Complaints Panel will then consider the complaint and all the evidence presented and:

- a) reach a decision on the complaint and the reasons for it
- b) decide upon the appropriate action to be taken to resolve the complaint. (There may be instances where this involves recommending the use of the disciplinary or capability procedures)
- c) where appropriate, suggest recommended changes to the schools' systems or procedures to try to ensure that complaints of a similar nature are not made in the future.

APPENDIX SIX: Leaflet that could be sent to persons who make spurious/vexatious or abusive complaints.

Hitherfield Primary School Policy for Handling Unreasonably Persistent, Harassing or Abusive Complainants

The head teacher and governing body are fully committed to the improvement of our school. We welcome feedback from parents/carers and will always try to resolve any concerns as quickly as possible. There is a procedure for parents to use if they wish to make a formal complaint.

Sometimes, however, parents or carers pursuing complaints or other issues treat staff and others in a way that is unacceptable. Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour towards any members of the school community.

The aim of this leaflet is to provide information about our school policy on unreasonably persistent complainants or harassment of staff.

What do we mean by 'an unreasonably persistent complainant'?

An unreasonably persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include persons who pursue complaints in an unreasonable manner.

Unreasonable behaviour may include:

- actions which are
 - out of proportion to the nature of the complaint, or
 - persistent – even when the complaints procedure has been exhausted, or
 - personally harassing, or
 - unjustifiably repetitious

- an insistence on
 - pursuing unjustified complaints and/or
 - unrealistic outcomes to justified complaints
 - pursuing justifiable complaints in an unreasonable manner (eg using abusive or threatening language; or
 - making complaints in public or via a social networking site such as Facebook; or
 - refusing to attend appointments to discuss the complaint.

What is 'harassment'?

We regard harassment as the unreasonable pursuit of issues or complaints,

particularly if the matter appears to be pursued in a way intended to cause personal distress rather than to seek a resolution.

Behaviour may fall within the scope of this policy if:

- it appears to be deliberately targeted at one or more members of school staff or others, without good cause;
- the way in which a complaint or other issues is pursued (as opposed to the complaint itself) causes undue distress to school staff or others;
- it has a significant and disproportionate adverse effect on the school community.

What does the school expect of any person wishing to raise a concern?

The school expects anyone who wishes to raise concerns with the school to:

- treat all members of the school community with courtesy and respect;
- respect the needs of pupils and staff within the school;
- avoid the use of violence, or threats of violence, towards people or property;
- recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond to a complaint;
- follow the school's complaints procedure.

Schools' responses to unreasonably persistent complaints or harassment

This policy is intended to be used in conjunction with the school's complaints procedure. Taken together, these documents set out how we will always seek to work with parents, carers and others with a legitimate complaint to resolve a difficulty.

However, in cases of unreasonably persistent complaints or harassment, the school may take some or all of the following steps, as appropriate:

- inform the complainant informally that his/her behaviour is now considered by the school to be unreasonable or unacceptable, and request a changed approach;
- inform the complainant in writing that the school considers his/her behaviour to fall under the terms of the Unreasonably Persistent Complaints/ Harassment Policy;
- require all future meetings with a member of staff to be conducted with a second person present. In the interests of all parties, notes of these meetings may be taken;
- inform the complainant that, except in emergencies, the school will respond only to written communication and that these may be required to be channelled through the Local Authority.

Physical or verbal aggression

The governing body will not tolerate any form of physical or verbal aggression against members of the school community. If there is evidence of any such aggression the school may:

- ban the individual from entering the school site, with immediate effect;

- request an Anti-Social Behaviour Order (ASBO);
- prosecute under Anti-Harassment legislation.
- call the police to remove the individual from the premises, under powers provided by the Education Act 1996.

Legitimate new complaints will always be considered, even if the person making them is (or has been) subject to the Unreasonably Persistent Complaints/ Harassment Policy. The school nevertheless reserves the right not to respond to communications from individuals subject to the policy.

APPENDIX SEVEN: Model Letters

a) Response to spurious complainant
Dear

Following receipt of your communications and careful consideration of the same, I regret that I am unable to deal with this matter under the Governing Body's Complaints Procedure as:

[It will be appropriate to include SOME of the following statements]

- o You have not identified any specific actions of which you might complain
- o Your concerns are presented as conclusions rather than specific actions of which you complain.
- o The concerns that you identify relate to historical actions and any evidence which might have enabled an objective investigation of your complaint is no longer available.
- o The substance of your complaint has been addressed under this procedure already.
- o The concerns that you raise do not fall within the scope of this procedure.
- o You have not identified any potential sources of evidence which might allow the matter to be investigated.

If you wish my decision to be reviewed then you may take advantage of the procedure set out in the school's Formal Complaint Procedure, by writing to the Clerk to the Governing Body.

Yours sincerely,

Head Teacher
Or Chair of Governing Body

b) Acknowledgement of receipt of formal complaint and invitation to meet Dear

.....

I have received your formal complaint, dated I am grateful that you have brought this to my attention.

The school and governing body take any complaint most seriously. Therefore I would like to

meet with you, as soon as possible, so that I may understand the details of your concerns more clearly. You are welcome to be accompanied to the meeting by a friend, if you would find this helpful. Please telephone....., in order to arrange an appointment./ I can offer you an appointment at on ,..... Please let me know if this is convenient.

I hope that we will be able to resolve your concerns through our meeting, but if not I will ensure that the appropriate investigation takes place. This should begin within 5 days of our meeting.

Yours sincerely,

Head Teacher
Or Chair of Governing Body

c) Acknowledgement of receipt of formal complaint referred by a third party [e.g. LA or MP]

Dear

I have received a copy of the documentation that you sent to setting out a complaint about This has been passed to the school as it has responsibility for these matters.

The school and governing body take any complaint most seriously. Therefore I would like to meet with you, as soon as possible, so that I may understand the details of your concerns more clearly. You are welcome to be accompanied to the meeting by a friend, if you would find this helpful. Please telephone, in order to arrange an appointment./ I can offer you an appointment at on Please let me know if this is convenient.

Meanwhile I would be grateful if you would complete and return the Formal Complaint Form that is enclosed, along with details of the school's complaints procedure.

I hope that we will be able to resolve your concerns through our meeting, but if not I will ensure that the appropriate investigation takes place. This should begin within 5 days of our meeting.

Yours sincerely,

Head Teacher
Or Chair of Governing Body

d) Acknowledgements of receipt of formal complaint and advising complainant that the matter has been referred

Dear

I have received your formal complaint, dated I am grateful that you have brought this to my attention.

However, the matters that are of concern to you are the responsibility of the governing body/Pupil Discipline Committee/LA/Diocese/service provider, so I have forwarded your documentation to You should be contacted, in the near future, to be advised of how they intend to proceed.

If I can be of any further assistance, please do let me know.

Yours sincerely,

Head Teacher

e) Acknowledgements of receipt of formal complaint and advising complainant that the matter is being dealt with under a confidential school procedure

Dear

I have received your formal complaint, dated I am grateful that you have brought this to my attention.

The school and governing body take any complaint most seriously. Therefore I have initiated an immediate investigation. It is possible that the investigator will wish to meet with you to clarify the evidence that you have provided so far. If so, he/she will write to you to make suitable arrangements.

As your concerns relate to the conduct/capability of a member of staff, the investigation will be carried out under the school's personnel procedures. This means that the detail of the procedure and its outcome must remain confidential to the school and the member of staff concerned.

OR

As your concerns relate to the behaviour of a pupil, the investigation will be carried out under the school's pupil conduct and disciplinary procedures. This means that the detail of the procedure and its outcome must remain confidential to the school and the parents of the child concerned.

In due course, I may be able to provide you with some information about the outcomes of the investigation and the processes that have been followed, but in any event will let you know when the matter has been concluded.

If I can be of any further assistance, please do let me know.

Yours sincerely,

Head Teacher
Or Chair of Governing Body

f) NOTIFICATION OF DECISION REGARDING FORMAL COMPLAINT

Dear

Following receipt of your complaint and careful consideration of all the available relevant evidence, I/the panel have/has concluded that:

- There is insufficient evidence to reach a conclusion, so the complaint cannot be upheld. If you are able to provide additional evidence forthwith I/we will reconsider this decision.

OR

- The concern is not substantiated by the evidence in that

OR

- The concern was substantiated in part/in full, as The school will review its practices/procedures..... with the intention of avoiding any reoccurrence. Parents will be informed in due course of any policy changes.

OR

- In order to address fully the matters investigated, the school has initiated appropriate internal procedures. Due to the nature of these procedures, their outcome must remain strictly confidential. We are confident, however, that the circumstances that gave rise to your complaint should not recur

OR

- In order to address fully the matters of concern that you identified, the panel recommended that the governing body should review its policy, as a matter of urgency. We are confident that this should prevent similar concerns arising in future.

I hope that we may now put this matter behind us and work together for the benefit of your child's progress.

Yours sincerely,

Head Teacher/Chair of Governing Body/Chair of Panel

g) REVIEW OUTCOME NOTIFICATION

Dear

Having carefully considered your representations in the context of the relevant evidence, the Governing Body Complaints Review Panel has concluded that the school followed the relevant procedure appropriately in respect of your complaint.

Summary of reasons

Therefore, the matter is now closed as far as the school is concerned.

Or

Having carefully considered your representations in the context of the relevant evidence, the Governing Body Complaints Review Panel has concluded that the school followed the relevant procedure appropriately in respect of your complaint except

Therefore, the following action will be taken

Once this action has been completed the school will consider the matter to be closed.

Or

Having carefully considered your representations in the context of the relevant evidence, the Governing Body Complaints Review Panel has concluded that the school followed the relevant procedure appropriately in respect of your complaint except

However the panel determined that this procedural failure did not affect the outcome of the consideration of your complaint so, while we regret this error, we will now consider this matter to be closed as far as the school is concerned.

Yours sincerely,

Chair of Complaints Review Panel

c.c. Head Teacher
Chair of Governors