



Strategic Federation Leader:  
Mrs Angela Vinnicombe



# Complaints Policy

Signed on behalf of Governors:

Review Date: Autumn 2023

This policy applies to all concerns and complaints by members of school or members of the community other than:

- child protection issues;
- exclusions where separate procedures apply, and
- internal investigations.

If the complaint or concern falls into any of these categories it will not form part of this Complaints Procedure. This policy complies with DFE “Best Practice Advice for School Complaints Procedures” January 2016.

### **Timescales**

We aim to resolve any complaints in a timely manner. Timescales for each stage of the complaint’s procedure are set out below in the relevant paragraphs. For the purposes of this policy, ‘working day’ is defined as a weekday during term time, when the school is open. The definition of ‘working day’ excludes weekends and bank holidays.

### **Aim**

The aim of this policy is to ensure that a concern or complaint by a parent / carer or member of the community is managed sympathetically, efficiently and at the appropriate level, and resolved as soon as possible. Doing so is good practice, it is fair to those concerned and it helps to promote parents’ and pupils’ confidence in our ability to safeguard and promote welfare.

We will try to resolve every concern or complaint in a positive way with the aim of resolving the issue in a transparent manner. The school expects that most concerns can be resolved informally and guarantees to treat seriously and confidentially all concerns, whether raised informally or formally.

We need to know as soon as possible if there is any cause for dissatisfaction.

We recognise that a difficulty that is not resolved quickly and fairly can soon become the cause of resentment, which could be damaging to relationships and also to our school culture.

We intend that parents and pupils should never feel, or be made to feel that a complaint will be taken amiss or will adversely affect a pupil or his/her opportunities at the school.

The policy, however, distinguishes between a concern or difficulty which can be resolved informally and a formal complaint which will require further investigation.

**Stage One - Raising a Concern / Informal Complaint** Concerns can be raised with the school at any time, as soon as possible after an event arises, although three months is the maximum time frame in which to lodge a complaint.

Complaints may be raised:

- in writing,
- by telephone, or
- in person.

A complaint will often generate an immediate response which will resolve the concern.

Apart from the school's normal Consultation Day/Evenings or other arranged meetings with specific staff, the school requests that parents / carers make their first contact with their child's class teacher.

School will ask the complainant at the earliest stage what they think might help resolve the issue.

On some occasions, the concern raised may require fact-finding or discussion with others, in which case there will be an informal but informed response within 10 working days.

The vast majority of concerns will be satisfactorily dealt with in this way.

### **Record of Concerns**

In the case of concerns raised under Stage One of this procedure, the only record of the concern and its resolution will be the internal file notes by the person dealing with the complaint and / or file correspondence between the person raising the concern and the respondent. These notes are for internal use

only.

## **Unresolved Concerns**

A concern which has not been resolved by informal means within 10 working days from the receipt of the complaint can be notified as a formal complaint in accordance with Stage Two below.

## **Stage Two - Formal Complaints**

Formal complaints which need investigation or a more serious dissatisfaction with some aspect of the school's policies, procedures and management or administration should be set out in writing with full details and sent with relevant documents and full contact details for the attention of the Headteacher. Complaints regarding the Headteacher should go to the Strategic Leader. Complaints against the Strategic Leader should go to the Chair of Governors. Complaints against a Governor, including the Chair of Governors, must be placed in writing to the school's Clerk to the Governing Body. Should a formal complaint be received by another member of the school staff, this should be immediately passed to the Headteacher. The school will acknowledge receipt of the complaint within five working days. The acknowledgement will indicate the action which is being taken and the likely timescale for a resolution. The aim will be to resolve the matter as speedily as possible.

The Headteacher/ Strategic Leader may deal with the matter personally or delegate to a senior member of staff to act as investigating officer, who may request additional information from the complainant and will fully investigate the issue. The investigating officer may wish to meet or speak with a parent / carer to discuss the matter.

If the complaint has been resolved at this stage the issue will be deemed closed.

Where the complaint is upheld it will not proceed further.

## **Stage Three - Appeal**

An appeal, a request for a complaint to be heard by a Complaints Appeal Panel, must be made in writing and within 10 working days of the date of the school's decision made at Stage Two.

## **Acknowledgement**

Where an appeal is received, the school will, within five working days, refer the matter to the clerk of the governors who will act as Clerk to the Complaints Appeal Panel. The Clerk will acknowledge, in writing, receipt of the appeal within five further working days and inform the complainant of the steps involved in the process.

The clerk will be the contact point for the complainant.

## **Appeal Panel Hearing**

The clerk will aim to convene an Appeal Panel Hearing as soon as possible, normally no later than 20 working days after the acknowledgement of the appeal.

## **Panel membership**

The panel will consist of three governors on the governing body who have not previously been involved in the complaint. In deciding the make-up of the panel, Governors will 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 panel will select its own Chair.

## **The remit of the Complaints Appeal Panel**

The panel can:

- Dismiss the complaint in whole or in part;
- Uphold the complaint in whole or part;
- Decide on the appropriate action to be taken to resolve the complaint;
- Recommend changes to the school systems or procedures to ensure that problems of a similar nature do not recur. 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 Committee Chair will ensure that the proceedings are as informal as possible.

## **Attendance**

The following are entitled to attend the hearing, submit written evidence and address the panel:

- The parents/carers and / or one representative;
- The Headteacher and/or Strategic Leader and/or one representative;
- Any other person who the Complaints 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:

- Documents;
- Chronology and key dates;
- Written statement setting out further detail. The evidence will be considered by the Panel, along with the initial submission. All written evidence must be received by the Clerk no later than five working days in advance of the Panel Hearing. The Clerk will distribute the evidence to all parties no later than three working days in advance of the Panel Hearing.

## **• 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 the Panel**

The chair of the panel has a key role in 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 is useful to give all parties the opportunity to consider and comment on it.

## **Decision**

The Panel will reach a decision and make any recommendations within 10 working days of the hearing. The Panel's findings will be sent, in writing, to the Clerk, the Strategic Leader, the person complained of (as appropriate) and to the complainant. The letter will state the reason for the decision reached and any recommendations made by the Panel. The outcome of the complaint should be reported to the Governing Body, for information only, as with any delegated decision. No names should be given in the report.

The Senior Leadership Team of the school should act on feedback from the findings of the panel to ensure that services are improved. The Governor's Appeal Hearing is the last school-based stage of the complaints process, and the decision reached is final. If the parent wishes to take the matter further they need to write to The Secretary Of State for Education, Department for Education, Sanctuary Buildings, Great Smith Street, London. SW1P 3BT or on line at

<http://www.education.gov.uk/schools/leadershi/schoolperformance/school-complaints-form>.

## **Record Keeping**

The school will keep a record of all appeals, decisions and recommendations of the Complaints Panel. Records are held centrally in the school office.

## **Vexatious complaints**

If properly followed, a good Complaints Procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. Please see appendix D and E for further details of how such complaints will be dealt with and examples of behaviour which will not be tolerated.



## **Appendix A: Checklist for Panel Hearing:**

- The Hearing is as informal 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 Chair may question both the complainant and the witnesses after each has spoken.
- The investigating Officer is then invited to explain the School's actions and be followed by the School's witnesses.
- The complainant may question both the Investigating Officer 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 Investigating Officer is then invited to sum up the School's actions and responses to the complaint.
- Both parties leave together while the panel decides on the issues.
- The Chair explains that both parties will hear from the Panel within a set time-scale.

# Appendix C: Complaint Form

Please complete and return to the Headteacher or Strategic Leader who will acknowledge receipt and explain the complaints process.

Your name: \_\_\_\_\_ Pupil's name: \_\_\_\_\_

Your relationship to the pupil (if relevant): \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone No. (Day): \_\_\_\_\_ Telephone No. (Evening): \_\_\_\_\_

Please give a brief description of your complaint:

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

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

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

Signature: \_\_\_\_\_ (Complainant) Date: \_\_\_\_\_

## **Appendix D: Policy on Acceptable Behaviour**

The Governing Body recognises that it is the last resort for complainants. They also have a duty to ensure the safety and welfare of students, parents and staff.

The Governing Body is committed to dealing with all complaints fairly and impartially and to providing a high-quality service to those who make them. As part of this service it would not normally limit the contact complainants have. However, the Governing Body does not expect the School's staff to tolerate behaviour by complainants which is unacceptable, for example, which is abusive, offensive or threatening, and it will take action to protect staff from that behaviour. This applies to unacceptable behaviour on any part of the School premises, including the School grounds.

If the Headteacher or Strategic Leader considers that a complainant's behaviour is unacceptable, the complainant will be told why their behaviour is deemed to be unreasonable and will be asked to change it. If the unacceptable behaviour continues the Headteacher or Strategic Leader will take action to restrict the complainant's contact with the School.

### **Unacceptable Actions and Behaviours**

These are some of the actions and behaviours of unreasonable and unreasonably persistent complainants which the School find problematic. It is by no means an exhaustive list and local factors may vary, but these are examples that frequently come to our attention.

- Foul and abusive language towards staff, other parents and students.
- Behaviour that staff consider to be harassing and intimidating, including in person, over the telephone, or any other type of communication.
- Undermining School policies by actively encouraging students to ignore staff requests.
- Making unnecessarily excessive demands on the time and resources of staff, by for example excessive telephoning or sending emails to numerous staff, writing lengthy complex letters every few days and expecting immediate responses.
- Combinations of some or all of these. The decision to restrict access to our

School will be taken by the Headteacher. Any restrictions imposed will be appropriate and proportionate.

The options most likely to be considered are:

- Requesting contact in a particular form (for example, letters only);
- Requiring contact to take place with a named member of staff;
- Restricting telephone calls to specified days and times; and/or asking the complainant to enter into an agreement about their conduct.

In all cases we will write to tell the complainant why we believe his or her behaviour is unacceptable, what action we are taking and the duration of that action.

Where a complainant continues to behave in a way which is unacceptable, we may decide to terminate contact with that complainant and discontinue any investigation into their complaint.

However, the Governing Body will seek to limit any detriment to any pupils who attend the School, as far as is reasonable within these circumstances e.g. access to parents' evenings, newsletters and any other correspondence.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of the School's staff, we will consider other options, for example reporting the matter to the police or taking action. In such cases, we may not give the complainant prior warning of that action.

## **Appendix E: Policy on Unreasonably Persistent Complaints**

The Governing Body recognises that it is the last resort for complainants. It is also accountable for the proper use of public money and must ensure that that money is spent wisely and achieves value for complainants and the wider public.

The Governing Body is committed to dealing with all complaints fairly and impartially and to providing a high-quality service to those who make them. As part of this service it does not normally limit the contact complainants have with the School.

However, there are a small number of complainants who, because of their frequent contact with the School, hinder consideration of their or other people's complaints. Such complainants are referred to as 'unreasonably persistent complainants' and, exceptionally, the Headteacher or Strategic Leader will take action to limit their contact with School.

### **Actions and Behaviours of Unreasonable and Unreasonably Persistent Complainants**

These are some of the actions and behaviours of unreasonable and unreasonably persistent complainants which schools often find problematic. It is by no means an exhaustive list and factors may vary, but they are examples that may come to our attention.

- Refusing to specify the grounds of a complaint, despite offers of assistance with this from the School's staff.
- Refusing to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- Refusing to accept that issues are not within the remit of a complaints procedure despite having been provided with information about the procedure's scope.
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Making what appear to be groundless complaints about the staff dealing with the complaints, and seeking to have them replaced.
- Changing the basis of the complaint as the investigation proceeds and/or

denying statements he or she made at an earlier stage.

- Introducing new information which the complainant expects to be taken into account and commented on, or raising large numbers of detailed questions which are particularly time consuming and costly to respond to and insisting they are all fully answered.
- Electronically recording meetings and conversations without the prior knowledge and consent of the other persons involved.
- Adopting a 'scattergun' approach; pursuing a complaint or complaints with the school and, at the same time, with a Member of Parliament/a Councillor/the Authority's independent auditor/the Local Authority/local police/solicitors/the Ombudsman/OFSTED.
- Making unnecessarily excessive demands on the time and resources of staff whilst a complaint is being looked into, by for example excessive telephoning or sending emails to numerous School staff, writing lengthy complex letters every few days and expecting immediate responses.
- Submitting repeat complaints, after complaints processes have been completed, essentially about the same issues, with additions/variations which the complainant insists make these 'new' complaints which should be put through the full complaints procedure.
- Refusing to accept the decision - repeatedly arguing the point and complaining about the decision.
- Combinations of some or all of these. The decision to restrict access to the School will be taken by the Headteacher or Strategic Leader and will normally follow a prior warning to the complainant. Any restrictions imposed will be appropriate and proportionate.

The options we are most likely to consider are:

- Requesting contact in a particular form (for example letters only);
- Requiring contact take place with a named member of staff;
- Restricting telephone calls to specified days and times; and/asking the complainant to enter into an agreement about their future contacts with us. In all cases where we decide to treat someone as an unreasonably

persistent complainant, we will write to tell the complainant why we believe his/her behaviour falls into that category, what action we are taking and the duration of that action. We will also tell them how they can challenge the decision if they disagree with it. If we decide to carry on treating someone as an unreasonably persistent complainant and we are still investigating their complaint six months later, we will carry out a review and decide if restrictions will continue. Where a complainant whose case is closed persists in communicating with us about it, we may decide to terminate contact with the complainant. In such cases, we will read all correspondence from that complainant, but unless there is fresh evidence which affects our decision on the complaint we will simply acknowledge it or place it on the file with no acknowledgement. New complaints from people who have come under the unreasonably persistent complainant's policy will be treated on their merits.