

COMPLAINTS POLICY AND PROCEDURE

This policy should be read in conjunction with the DFE guidance 'Best practice advice for school complaints procedures' January 2016 and the following CEFM documents: Education update February 2016ii – school complaints, Education update January 2012ii – The Education Act 2011 and Governance guidance documents – Staffing. The 'Do you know' Q and A article on Parental complaints (January 2014) may be of interest.

For academies, free schools and independent schools (not state funded): this policy should also be read in conjunction with The Education (Independent School Standards) (England) Regulations SI 2014/3283, and the DFE guidance 'Creating an academy complaints procedure January 2015' would be helpful for academies.

For non-maintained special schools: this policy should also be read in conjunction with The Education (Non-Maintained Special Schools) (England) Regulations 2011/1627 as amended.

Background

Since 1 September 2003, governing boards of all maintained schools and maintained nursery schools in England have been required, under section 29 of the Education Act 2002, to:

- Have in place a formal procedure to deal with complaints relating to the school and to any community facilities or services that the school provides.
- Tailor the policy to the individual school.
- Publicise the procedure.
- Have regard to any guidance given by the Education Secretary.

The headteacher or complaints co-ordinator should ensure that records are kept of the progress of all complaints and the final outcomes, and hold these records centrally, since complainants have a right to copies of these records under the Freedom of Information and Data Protection Acts.

The Education (Independent School Standards) (England) Regulations 2010 No 1997 and the Education (Non-Maintained Special Schools) (England) Regulations 2011 No 1627 extended these requirements to include academies, free schools, independent schools (not state funded) and non-maintained special schools. These regulations, under Part 7, require that such schools:

- Have in place a formal written procedure to deal with complaints relating to the school.
- Keep a written record of all complaints and at which stage they are resolved.
- Allow for a complaint to be made and considered initially on an informal basis.
- Make the policy/procedure available to parents of pupils.
- Set out a clear time scale to the management of a complaint.

- Make provision, where a complainant is not satisfied with the response to a complaint, for a hearing before a panel of at least three people who were not directly involved in the matters detailed in the complaint.
- Ensure that at least one member of that panel is independent of the management and running of the school.
- Allow the complainant to be accompanied at a panel hearing if they wish.
- Provide that the findings and recommendations of the panel are:
 - Sent by electronic mail or otherwise to the complainant and the person complained about (where relevant).
 - Available for inspection on the school premises by the headteacher.
- All documentation relating to individual complaints should be retained and kept confidential (except where Ofsted or the Education Secretary requests them). Ofsted inspectors will make a judgement of the complaints procedure statement that the school issues and information from any upheld complaints about the school from parents to Ofsted.

Where the school provides accommodation, the policy must be drawn up having regard to (as amended from January 2013) the National Minimum Standards for Boarding Schools or, where applicable, the National Minimum Standards for Residential Special Schools.

Any complaint relating to a child protection matter should immediately be raised with the local authority (LA) for them to handle, whatever the status of the school.

This policy does not include dealing with any of the matters listed below, all of which are addressed in separate policies and procedures:

- Staff grievances.
- Internal disciplinary matters relating to staff or pupils.
- Curriculum complaints.
- Admissions appeals.
- SEN appeals.
- Pupil exclusions.
- Appeals to the staff dismissal committee.
- Whistle blowing (matters of impropriety eg a breach of law, school procedures or ethics. These complaints should be directed to the LA or, for academies, the school's auditor).
- Discrimination.
- School re-organisation proposals.
- Complaints about services provided by third party hirers of the school premises.

Typical matters that might be considered under this policy include:

- From parents:
 - To the tutor, year head or designated deputy headteacher about suspected bullying.
 - Detention and out-of-school activity arrangements.
 - Complaints about matters such as facilities, lack of supervision etc.
 - Support for pupils with medical conditions.
 - School website.
 - Dress code.
- From the general public:
 - Local residents complaining about the behaviour of pupils coming to, and going from, the school.
 - A local trader feeling that the school should be trading with her or his company.
 - Local community leaders concerned that the school is not involving itself sufficiently in particular aspects of community life.

If the complainant is still not satisfied after all the processes of the school's complaints procedure have been undertaken, it may be possible to take the complaint to the LA if they have a complaints procedure. If that is not the case, the complaint may be taken to the School Complaints Unit (SCU) of the DFE itself in the case of all maintained schools. For academies and free schools, complaints can be made to the Education Funding Agency (EFA).

Neither the SCU nor the EFA will consider complaints from unsatisfied complainants who have not exhausted the school's procedures.

The process for complaining to the SCU or the EFA is to use the online school complaints form available at:

https://form.education.gov.uk/submitform.php?self=1&form_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1

A series of answers to preliminary questions is asked before the online form can be completed and submitted online to the appropriate organisation.

If, after all the school's processes for handling complaints have been completed, the complainant comes back to the school with the same issue, the complaint may be ignored and viewed as 'serial or persistent'. Note that it is the complaint that is 'serial or persistent', not the complainant. If the complainant comes back with a different complaint then a new complaints procedure must be started for the new complaint.

Appendix D and Appendix E are model letters to send to complainants either during the complaints process (Appendix D) or after the process is completed (Appendix E) when the complainant becomes unreasonable.

Ofsted's role in complaints

If at any time a complaint about a school is made by a parent to Ofsted, and Ofsted considers it appropriate for the purpose of investigating a complaint, the board of governors or the LA must co-operate in arranging

the meeting. There may not be an inspection due, in which case Ofsted may choose to write a report upholding or dismissing the complaint which will be sent to the board of governors. A copy of this must be passed on by the governors to all registered parents.

In preparation for an inspection, an Ofsted inspector will look at any upheld complaints against the school. During the course of an inspection, emerging findings must be discussed at regular intervals as the inspection progresses with the headteacher and other senior staff. The headteacher will be given every opportunity to provide further evidence should he/she wish to do so. The headteacher can and must convey to the lead inspector any complaints or concerns about the inspection process.

COMPLAINTS POLICY AND PROCEDURE

Introduction

The governors of Saint Cecilia's Church of England School are committed to ensuring that the highest standards are maintained at the school both in the provision of education to pupils and in every other aspect of the running of the school. A complaints procedure is an important part of the management of a well-run school allowing parents and others the opportunity to voice any concerns they may have through appropriate channels. This policy explains the procedure which has been adopted by the governing board to ensure a timely, systematic and fair approach to the resolution of such concerns.

We recognise the need to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage reduces the numbers that develop into formal complaints. We aim to ensure that concerns are handled, if at all possible, without the need for formal procedures. Our formal complaints procedure is only necessary if efforts to resolve the concern informally are unsuccessful. In most cases, a class teacher or an individual delivering the service will receive the first approach. Our staff development process includes training to help staff resolve issues on the spot, including apologising where necessary.

Our formal procedures are invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. (See appendix A and appendix B.)

This policy does not cover certain types of complaints, which are dealt with under separate procedures. These include:

- Any complaint relating to child protection. (These will immediately be raised with the local authority (LA) for them to handle.)
- Complaints arising through conflict between estranged parents over the application of parental responsibility. (These will be dealt with having the best interest of the child in mind and with reference to the DFE guidance '*Understanding and Dealing with Issues Relating to Parental Responsibility January 2016*' and with further legal advice if necessary.)
- Curriculum complaints – addressed under the curriculum complaints procedure.
- SEN complaints – addressed under the SEN procedures.
- Complaints by staff – addressed under the school's grievance procedure or other personnel policies.
- Admissions – addressed under the admissions and admissions appeals procedure.
- Whistle blowing – (matters of impropriety eg a breach of law, school procedures or ethics) – addressed under the whistle blowing procedure.
- Complaints about school re-organisation.
- Complaints against services provided by third party hirers of the school premises.

A complaint may result in disciplinary action by the school against a member of staff and this would be confidential between that member of staff and the school, but otherwise complainants will be kept fully informed of the handling of any complaint. Any complaint will be kept confidential, unless it is necessary to involve other parties, and will be dealt with as quickly as possible.

If a complaint is investigated according to the school's policy but not to the satisfaction of the complainant, who then tries to reopen the same issue, the chair of the governing board will inform them in writing that the procedure has been exhausted and that the matter is now closed. However, if the complainant raises an entirely new, separate complaint, it will be dealt with in accordance with the school's complaints procedure.

Members of staff recognise that complainants may sometimes act out of character in times of stress, anxiety or distress and will make reasonable allowances for this. However, all instances of unacceptable behaviour such as harassment, aggressive verbal or physical abuse at any time will be documented and this may result in the complaint being dealt with only through written communication thereafter.

Objectives and targets

To be effective our complaints procedure will:

- Encourage resolution of problems by informal means wherever possible.
- Be easily accessible and publicised, including to third parties who hire school premises.
- Be simple to understand and use.
- Be impartial.
- Be compliant with the school's obligations under the Equality Act 2010.
- 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.
- Address all the points at issue and provide an effective response and appropriate redress, where necessary.
- Provide information to the school's senior management team so that services can be improved.

Action plan

At Saint Cecilia's Church of England School, the headteacher has overall responsibility for the operation and management of the school complaints procedure. In practical terms, the headteacher will nominate a senior member of staff as complaints co-ordinator to deal with matters on a day-by-day basis and hold records relating to any complaints received. The name of this member of staff is readily available from the school office or from any member of staff. Complaints from anyone who is not a parent of a pupil currently attending the school, should be addressed to the headteacher in the first instance.

It is expected that attempts will be made to resolve difficulties informally with the class teacher/form teacher/head of year/tutor before being referred to the headteacher. The informal stage of the procedure will be exhausted before the matter is referred to the formal stages and a complaint form issued (see appendix B). If any substantial complaint is made to a member of staff by a parent it will be referred to the line manager or headteacher, as appropriate, if it cannot be resolved immediately by the member of staff to the satisfaction of the parent.

Roles and responsibilities of the participants in the investigation of a complaint

The complainant

The person who makes the complaint will receive the most effective response to the complaint if he/she:

- Expresses the complaint in full as early as possible.
- Asks for assistance if needed throughout the handling of the complaint.
- Co-operates with the school in its procedures of seeking a solution to the complaint.
- Responds promptly to requests for information or meetings or in agreeing the details of the complaint.
- Treats all those involved in the complaint with respect.

The complaints co-ordinator (or headteacher)

Whenever a formal complaint is received, it will be investigated. At each stage, the person investigating the complaint (the complaints co-ordinator), must:

- Ensure that everyone involved in the complaint procedure is aware of the legislation around complaints including:
 - The Equality Act 2010.
 - Data Protection Act 1998.
 - Freedom of Information Act 2000.
- Be aware of issues regarding:
 - Sharing third party information.
 - Additional support for the complainant when making a complaint including interpretation support.
- Liaise with staff members, headteacher, chair of governors and clerk to ensure the smooth running of the complaints procedure.
- Ensure that the complainant is fully updated at each stage of the procedure.
- Keep records.

The investigator

The investigator is involved in stages 1 and 2 of the procedure. They investigate the complaint and will ensure that they:

- Conduct interviews with an open mind and are prepared to persist in the questioning.
- Keep notes of the interviews or arrange for an independent note taker to record minutes of all meetings.

The investigator's role will include:

- Providing a comprehensive, open, transparent and fair consideration of the complaint through:

- Interviewing the complainant sensitively and thoroughly to establish what has happened and who has been involved.
- Interviewing staff, pupils and other people relevant to the complaint.
- Consideration of records and other relevant information.
- Analysing information.
- Effectively liaising with the complainant and the complaints co-ordinator to clarify what the complainant feels would put things right.
- Identifying solutions and recommending courses of action to resolve problems.
- Being mindful of the timescales to respond.
- Responding to the complainant in plain and clear language.

The panel clerk (this could be clerk to the governors or the complaints co-ordinator)

The clerk is involved from stage 3 of the complaint procedure. The panel clerk is the contact point for the complainant for the panel meeting and will:

- 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.
- Circulate the minutes of the panel hearing.
- Notify all parties of the panel's decision.
- Liaise with the complaints co-ordinator.

The panel chair

The panel chair will ensure that:

- He/she liaises with the clerk and complaints co-ordinator
- No member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.
- The panel is open-minded and acts independently.
- The layout of the room is informal and not adversarial.
- Parents/carers and others who may not be used to speaking at such a hearing are put at ease (particularly important if the complainant is a youngster).
- The hearing is conducted in an informal manner with everyone treated with respect and courtesy.

- While the hearing is conducted in an informal manner, all matters brought up will be considered seriously.
- The role of the panel is explained to the complainant and both they and the school have the opportunity of putting their case without undue interruption.
- The meeting is minuted.
- The issues are addressed.
- Both the complainant and the school are given the opportunity to state their case and seek clarity where necessary.
- Key findings of fact are made.
- Written material is seen by everyone in attendance.
- If a new issue arises, a short adjournment of the hearing will take place so that everyone will have the opportunity to consider and comment upon it.

Panel members

Panel members become involved at stage 3 in the complaint procedure. They need to be aware that:

- The aim of the hearing, which will be held in private, is to resolve the complaint and achieve reconciliation between the school and the complainant.
- The panel hearing is independent and impartial, and must be seen to be so.
- Many complainants will feel nervous and inhibited in the setting.
- Extra care must be taken when the complainant is a youngster and present during all or part of the hearing, and the welfare of the youngster is most important.

Stages in the procedure

There are three stages in the school's complaints procedure. See appendix A for a flow chart. At each stage in the procedure, we will remain mindful of ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in 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 assurance that the event complained of will not recur.
- An explanation of the steps that have been taken to ensure that it will not happen again.
- An undertaking to review school policies in light of the complaint.

We encourage complainants 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.

At all times we will seek to identify areas of agreement between the parties and clarify any misunderstandings that might have occurred because this can create a positive atmosphere in which to discuss any outstanding issues.

Saint Cecilia's Church of England School expects any complaints to be made as soon as possible after an incident arises (although up to three months is acceptable in certain circumstances). Once a formal complaint has been received, the school's cut-off timeframe will apply to both parties. However, the school will consider exceptions to this time-frame from both parties if necessary.

Stage 1 – informal – complaint heard by staff member

A complaint may be made in person, by telephone, or in writing. In this stage, the investigator, ie the class teacher/form teacher/head of year/tutor (but not the subject of the complaint or a governor), will deal with the complaint. Most parents' concerns can be adequately resolved by discussion with the class teacher/form teacher/head of year/tutor or with other members of staff. There may be no need for the complaint to be put in writing, which would formalise matters and may lead parents to feel less prepared to articulate concerns, perhaps because of a fear that such action may prejudice the interests of their child. At the end of a meeting or telephone call, the member of staff will ensure that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls will be kept and a copy of any written response added to the record.

The complaint should be resolved within five school days. However, if the complainant wishes to take the matter further, they are requested to complete the complaints form (appendix B) and return it to the school within five school days. The headteacher is informed and stage 2 is implemented.

Stage 2 – formal– complaint heard by headteacher or senior staff member

If the concern is not met to the complainant's satisfaction by discussion, then:

- The complainant puts the complaint in writing using the complaints form (appendix B).
- The initial recipient of the complaint will refer the matter to the investigator eg the headteacher or to a designated member of the senior management team.
- The headteacher, or a designated member of the senior management team, will investigate the circumstances of the complaint and may find it appropriate to ask for written statements from staff or pupils and to call for any relevant documentation. If the complaint is against a member of staff, that member of staff has a right to be given details of the complaint and the opportunity to make representation about it. The person investigating the incident will take these details into account.
- The headteacher or designated member of staff will consider the complaint but it will be the headteacher who will decide what action is required and respond to the complainant with the outcome of the investigation, normally within ten school working days of receipt of the substance of the complaint. The response may be in writing or at a meeting with the complainant followed by written confirmation of the outcome.

Note Complaints against the headteacher will usually first be dealt with by the chair of governors. Complaints against the chair of governors or any individual governor should be made by writing to the clerk to the governing board. In some circumstances, the school reserves the right to refer the matter to an external body.

The complainant will be informed of his or her right to have the matter referred to the governors' complaints appeal panel if the outcome of stage 2 is not considered satisfactory. The time frame in which any appeal must be lodged in writing is five school days. Any such request by a complainant should be addressed to the clerk to the governors for the attention of the chair of governors and the governors' complaints appeal panel will be convened.

Stage 3 – formal – governors' complaints appeal panel meeting

When the clerk to the governors receives the request for the governors' complaints appeal panel to meet:

- The complainant/parent will be informed by the clerk of the new timescale for the investigation and written report to be provided – within 14 working days. (However, the length of the investigation will depend on the nature of the complaint and other variable factors. If the investigation is likely to exceed 14 days, the school will set realistic time limits for each action within the stage. Where such further investigations are necessary, new time limits may need to be set and the complainant will be sent details of the new deadline and an explanation for the delay.)
- A governors' complaints appeal panel will be assembled comprising three or five members, none of whom have any previous connection to the complaint, and one of whom will act as chair for the meeting. The meeting will additionally have a clerk in attendance.
- If the complainant requests an independent panel, the school will consider the request but ultimately the decision is made by the governors.

For academies and free schools: one of the members of the panel **must** be independent of the school.

- The clerk will write to the complainant, the headteacher, the chair of governors and appeal panel members giving details of the meeting, requesting copies of any documents to be put before the meeting and the names of any witnesses that either party may wish to attend.
- The clerk will inform the complainant of the right to be accompanied by a friend.

The hearing will be on reasonable notice and be held as soon as practicable after receipt of the referral. The procedure at the hearing (see appendix C) will be sensitive and appropriate for the circumstances and is at the discretion of the chair of the governors' complaints appeal panel.

After the hearing, the clerk will offer copies of the minutes of the meeting to all parties involved in the panel hearing and provide an opportunity for the minutes to be agreed and, if necessary, challenged within five school days so that no additional complaints will arise because of the record of the meeting.

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.
- Recommend changes to the school's procedures to ensure that similar problems do not recur.

The governors' appeal panel's decision is final.

A copy of the findings and recommendations of the panel will be sent by letter (electronic mail is acceptable for academies and free schools) to the complainant and, where relevant, to the person complained about, and will be available for inspection on the school premises by the headteacher.

If the complainant is still not satisfied

If the complainant is still not satisfied after all the processes of the school's complaints procedure have been undertaken or tries to re-open the same issue, the chair of governors will inform them in writing that the procedure has been exhausted and any further contact from the complainant on the same issue is likely to be ignored by the school.

Maintained schools other than academies and free schools

If complainants wish to take the complaint further, they may approach:

- The Diocesan body – use this where appropriate.
- The School Complaints Unit (SCU) of the DFE. The SCU will then decide whether they, or another organisation, would be best placed to respond to the complaint. The SCU will not re-open the complaint but will check that the procedures in the school's policy and other relevant policies were followed correctly and that the policy meets all legal requirements. The complaints form is available at: https://form.education.gov.uk/submitform.php?self=1&form_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1.

Complaints to the SCU may also be sent to:

The School Complaints Unit (SCU)
Department for Education
2nd Floor, Piccadilly Gate
Manchester
M1 2WD

Telephone helpline: 0370 000 2288.

Academies and free schools

If complainants wish to take the complaint further, they must complete the form available at: https://form.education.gov.uk/submitform.php?self=1&form_id=cCCNJ1xSfBE&type=form&ShowMsg=1&form_name=Contact+the+Department+for+Education&noRegister=false&ret=%2Fmodule%2Fservices&noLoginPrompt=1 and the complaint will be directed to the Education Funding Agency who will not overturn the decision about the complaint but will check whether:

- There has been undue delay in the proceedings.
- That the procedures in the school's policy and other relevant policies were followed correctly.
- That the school has complied with its funding agreement with the Education Secretary.
- That the policy meets all legal requirements.

Complaints to the EFA may also be sent to:

Providers, Standards and Intervention
Education Funding Agency, Earlsdon Park

Recording complaints

The progress of any complaint and the final outcome will be recorded by the complaints co-ordinator. These findings will be made available to the complainant and, where relevant, the person complained about, and will be available for inspection by the headteacher. Initially a complaint may be made in person or by telephone and if unresolved needs to be put in writing (see appendix B). At the end of a meeting or telephone call, the member of staff will ensure that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls will be kept and a copy of any written response added to the record.

Publicising the policy and procedure

Details of Saint Cecilia's Church of England School's complaints policy and procedures are included, as appropriate, in:

- The school prospectus.
- The governors' report to parents.
- The information given to new parents when their children join the school.
- The information given to the children themselves.
- The home-school agreement.
- Home-school bulletins or newsletters.
- Documents supplied to community users, including course information or letting agreements.
- A specific complaints leaflet which includes a form on which a complaint can be made (see appendix B).
- Posters displayed in areas of the school that will be used by the public, for example, reception or the main entrance.
- The school website.

Unreasonable complaints

A complaint may be regarded as unreasonable when the person making the complaint:

- 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 while still wishing their complaint to be resolved.
- Refuses to accept that certain issues are not within the scope of a complaints procedure.
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.

- Introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or 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.
- Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and/or by telephone while the complaint is being dealt with.
- 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.

A complaint may also be considered unreasonable if the person making the complaint does so face-to-face, by telephone, in writing or electronically:

- Maliciously.
- Aggressively, using threats, intimidation or violence.
- Using abusive, offensive or discriminatory language.
- Knowing it to be false.
- Using falsified information.
- Publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Where aggression or abusive behaviour has been used, the school may have to:

- Ask them to leave the school premises.
- Inform the police.
- If necessary, bar them from being on school premises.

Monitoring and evaluation

The governing board will monitor the level and nature of complaints using the records kept by the complaints co-ordinator. Wherever possible, complaints information shared with the whole governing board will not name individuals. The policy will be evaluated in the light of complaints made and their resolution in order to contribute to school improvement.

Should the DFE (or for academies and free schools the EFA) advise the school that the policy or procedures need to be amended, these will be effected as soon as possible. Where changes in legislation require changes to the policy, these will also be introduced as soon as possible.

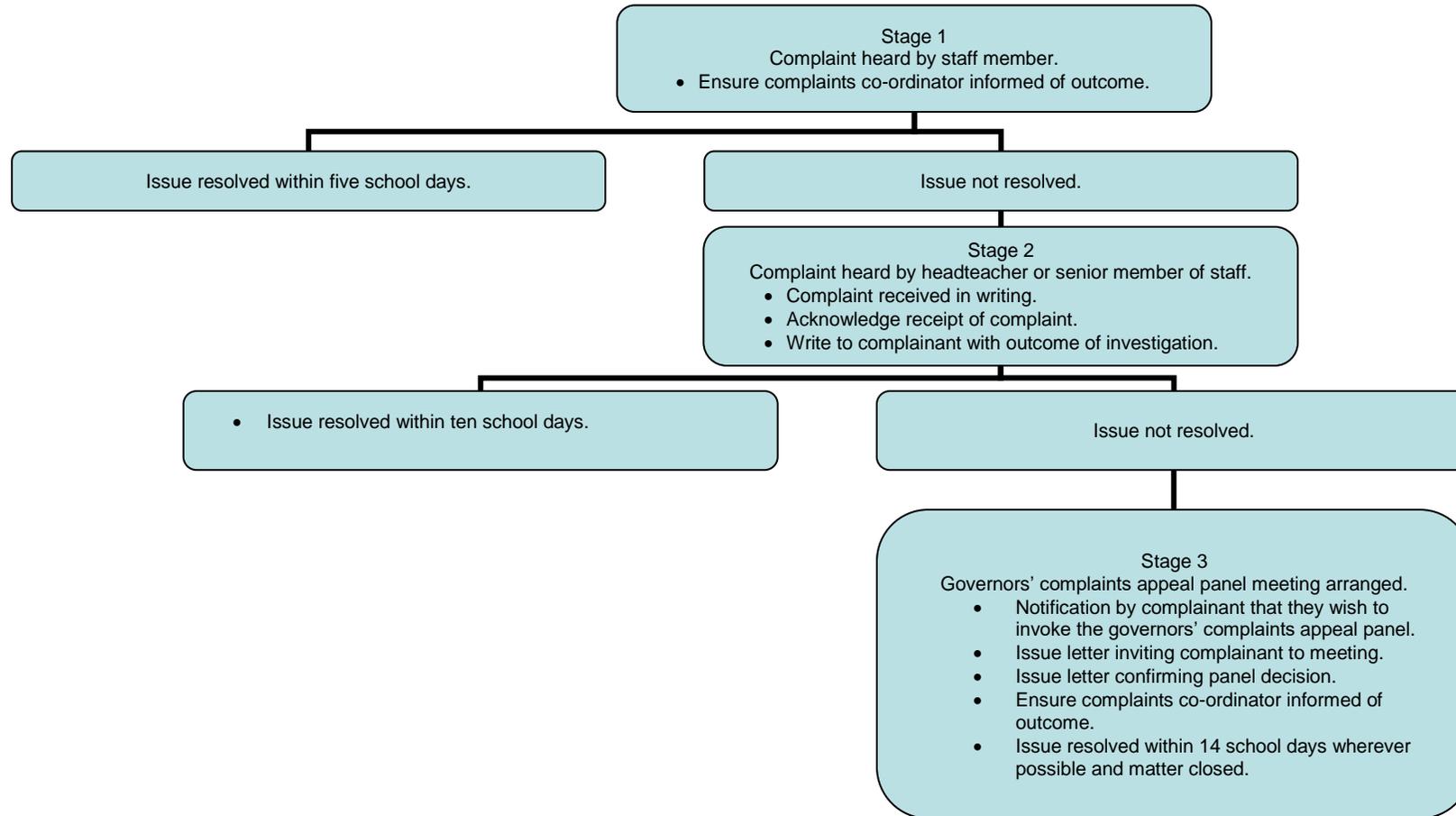
Reviewing

The governing board will review the outcomes of the monitoring exercise on a termly basis to ensure the effectiveness of the procedure and make changes where necessary.

Next school review due: April 2017

Note from DFE guidance 'Best practice advice for school complaints procedures 2016'. *'If a projected review date is published on the policy document it should be adhered to. Failure to do so could constitute a failure to adhere to a policy.'*

APPENDIX A: FLOWCHART FOR THE COMPLAINTS PROCEDURE



If there is no resolution after stage 3, the complainant will be advised of how to take their complaint further if they so wish.

APPENDIX B: COMPLAINTS FORM

Please complete and return to the Headteacher's PA (complaints co-ordinator) who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Postcode:

Daytime telephone number: Evening telephone number:

Please give details 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 the response)?

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

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

Signature:

Date:

Official use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

APPENDIX C: CHECKLIST FOR A PANEL HEARING

The governors' complaints appeal panel needs to take the following points into account:

- 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 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.
- 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 D: UNREASONABLE COMPLAINTS– ONGOING PROCEDURE

(School address)

(Date)

Dear Mr/Mrs/Miss/Ms,

[Nature of complaint]

Further to your recent contact with the school in connection with your on-going complaint about I ask for your co-operation while the complaints procedure is in process.

[.....] 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 the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect them from such behaviour, including that which is abusive, offensive or threatening.

[.....] School defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'.

A complaint may be regarded as unreasonable when the person making the complaint:

(choose from the list of bullet points below according to nature of the problem)

- 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 while still wishing their complaint to be resolved.
- Refuses to accept that certain issues are not within the scope of a complaints procedure.
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or 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.

- Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and/or by telephone while the complaint is being dealt with.

I ask you to please limit the numbers of communications with the school while your complaint is being progressed. It is not helpful if repeated correspondence is sent (by letter, phone, email or text) because it could delay the outcome being reached. If you continue to contact the school excessively, causing a significant level of disruption to staff, I may have to specify the mode and number of communications that will be considered acceptable.

A complaint may also be considered unreasonable if the person making the complaint does so face-to-face, by telephone, in writing or electronically:

- Maliciously.
- Aggressively, using threats, intimidation or violence.
- Using abusive, offensive or discriminatory language.
- Knowing it to be false.
- Using falsified information.
- Publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Where aggression has been used add:

Please desist from using aggressive, abusive behaviour against the school staff or I may have to

- Ask you to leave the school premises.
- Inform the police.
- If necessary, bar you from being on school premises, which I have the right to do.

We do want to resolve your complaint but please let us do so by working to the schedule of the procedure and peacefully.

Yours sincerely

Headteacher

APPENDIX E: UNREASONABLE COMPLAINTS– PROCEDURE COMPLETED

(School address)

(Date)

Dear Mr/Mrs/Miss/Ms,

[Nature of complaint]

Further to your recent contact with the school after the decision of the complaints appeal panel, and having advised you of the steps you could take if you were still unsatisfied with that decision, I write a final letter to you to ask that you refrain from contacting the school on substantially the same matter which, having been dealt with thoroughly and reasonably through all the school's complaints procedure, I now consider to be an unreasonable complaint.

[.....] 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 the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect them from such behaviour, including that which is abusive, offensive or threatening.

[.....] School defines unreasonable complainants as 'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'.

A complaint may be regarded as unreasonable when the person making the complaint:

(choose from the list of bullet points below according to nature of the problem)

- 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.
- 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 accept that certain issues are not within the scope of a complaints procedure.
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and/or by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so face-to-face, by telephone, in writing or electronically:

- Maliciously.
- Aggressively, using threats, intimidation or violence.
- Using abusive, offensive or discriminatory language.
- Knowing it to be false.
- Using falsified information.
- Publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Where aggression has been used add:

Please desist from using aggressive, abusive behaviour against the school staff or I may have to

- Ask you to leave the school premises.
- Inform the police.
- If necessary, bar you from being on school premises, which I have the right to do.

Once again, I now ask you to desist from contacting the school in connection with this complaint.

Yours sincerely,

Headteacher