

**St Patrick's RC High School**



**COMPLAINTS POLICY**

**Committee:** Pupil Welfare

**Reviewed by:** Headteacher

**On:** Autumn 2024 - 2025

**Date of next review:** Autumn 2025 - 2026

**Statutory**

**Signed:** ..... (Chair)

## **St Patrick's RC High School Complaints Policy**

### **School Mission Statement**

Our outstanding school community is guided by the gospel values of: Faith, Resilience, Service, Love and Truth. Faith and worship are lived, taught and celebrated. We recognise the importance of service to others and the opportunity to be witnesses to Christ in our community.

All are unique and strive for personal growth. We celebrate the pursuit of academic excellence, applaud ambition and value the achievements of all. Our pupils are expected to achieve their best and use their learning to make a difference in the world they live in.

### **School British Values Statement**

St Patrick's teachers uphold public trust in the profession and maintain high standards of ethics and behaviour. Teachers do this by not undermining fundamental British values and ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.

### **Legal context**

From September 2003, Governing Boards of all maintained schools and nursery schools in England are required, under Section 29 of the Education Act 2002, to have in place a clear and well-communicated procedure to deal with complaints.

The School Standards and Framework Act 1998 provided an additional function of the Governing Board to establish and publish procedures for dealing with complaints relating to the school, other than those covered by legislation and formal procedures elsewhere.

This policy has been developed after consulting the Department for Education (DfE) Best practice advice for school's complaints procedures (2020).

### **Who is allowed to complain?**

This policy may be used by anyone who has a concern or complaint about any aspect of the school. In the main this will mean the parents and carers of the school's pupils, but may include parents and carers of pupils who are no longer at the school, neighbours of the school, or any other members of the local community. Every effort will be made to resolve all complaints received. Complaints will always be investigated so that the school can ensure that all statutory duties are being met and if not address the issues raised and learn from them for example, child protection issues may only come to light after the pupil has left the school.

It is in everyone's best interests in our school and community to communicate well with one another and to make sure that any concerns and complaints are dealt with as quickly and appropriately as possible.

The DfE guidance explains the difference between a concern and a complaint:

A concern is *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*

A complaint is *'an expression of dissatisfaction however made, about actions taken or a lack of action.'*

If concerns and complaints are brought to the attention of our school we see this as an opportunity, where appropriate, to inform, review and help improve school procedures.

The school has a named School Complaints Coordinator whose role it will be to oversee the day-to-day implementation of the policy. Our current school's complaint coordinator is Mrs V Lynch (Headteacher's PA).

### **Aims and objectives of the policy**

Our school aims to meet its statutory obligations when responding to complaints from parents of pupils at the school.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Make sure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will make sure we publicise the existence of this policy and make it available on the school website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

### **Roles and responsibilities**

#### **The complainant**

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the school throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Do not publish details about the complaint on social media

#### **The investigator**

An individual will be appointed to look into the complaint and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the headteacher or complaints committee, which includes the facts and potential solutions

### **Unreasonable complaints**

The majority of people with complaints or concerns behave reasonably in pursuing their complaint. This means that they:

- Treat all staff and property with courtesy and respect
- Engage with staff to resolve concerns
- Respect the needs of students and staff
- Do not use intimidating / aggressive behaviour or inappropriate language towards staff
- Recognise the time constraints under which members of staff work and allow a reasonable time for the school to respond to a complaint
- Recognise that resolving a specific problem can sometimes take some time
- Follow the school's complaints procedures

Please see Appendix 2 on page 16 for the school's definition and policy on unreasonable complaints.

### **Principles for investigation**

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

### **Time scales**

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this timeframe in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved. When complaints are made out of term time, we will consider them to have been received on the first school day after the holiday period.

If at any point we cannot meet the timescales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

### **Circumstances under which stages of the procedure should be missed out**

There are 4 stages outlined in the complaints procedure:

Stage 1 Informal Stage

Stage 2 Formal Complaint: Referral to Headteacher

Stage 3 Complaint referred to Chair of Governors

Stage 4 Review by Governing Board Complaints Panel

This policy sets out the most suitable and effective process for dealing with the majority of complaints which are not covered by alternative procedures (see page 3 and 4). In most cases any concern or complaint, regardless of whose attention it is initially brought to, should be discussed informally before being escalated to any of the following formal stages.

In some cases, it may be deemed inappropriate for individuals to discuss their concerns informally. In such cases, complainants may be directed to contact the Headteacher directly (i.e. begin at stage 2). Complainants may choose to contact the Headteacher directly of their own accord. In these cases it will be at the discretion of the Headteacher as to whether or not it is appropriate for the complainant to discuss the matter informally before invoking the formal complaints procedure at Stage 2.

In cases where the complaint concerns the school's Headteacher directly, normally stage 2 will be missed out and the formal complaints procedure will begin at stage 3.

If and when complaints about the school are brought to the attention of Salford Local Authority, complainants will be advised to contact the school and to follow the procedures set out in the school's complaints policy.

### **Monitoring complaints**

There is a standard proforma available for use on page 14 which is recommended. At all formal stages of the complaints procedure, the following information should be recorded:

- The name of the complainant;
- The date and time at which complaint was made;
- The details of the complaint;
- The desired outcome of the complainant;
- How the complaint is investigated (including written records of interviews held);
- Results and conclusions of investigations;
- Any action taken;
- The complainant's response (satisfaction or further pursuit of complaint);
- Record of any subsequent action if required.

The school's Complaints Coordinator will have the responsibility for the operation and management of the school complaints policy and will be responsible for monitoring complaints. Records should be retained within school for 6 years from the date of resolution and can then be destroyed.

### **Upholding or not upholding complaints**

At each stage of the formal complaints procedure, the conclusion will be either:

- 1 That the complaint is upheld (in part or in full) and, where appropriate, some form of action is taken.

**OR**

2. That the complaint is not upheld and reason(s) for this, where appropriate, are clearly given.

In the first instance of receiving a complaint it may be appropriate to resolve the issue by offering the complainant offer one or more of the following:

- An emphatic response;

- an explanation of events;
- a recognition that the situation could have been handled differently or better;
- an explanation of the steps that have been taken to endeavour that it will not happen again. However, this must not include any information or detailed action taken involving a member of staff as this is confidential;
- an undertaking to review school policies in light of the findings of the complaint.

The complainant may either choose to take no further action or take the complaint to the next of the complaints policy until all stages have been exhausted.

### **Publicity and communication**

There is a legal requirement for schools to publicise their complaints procedures. This policy may be included on the school's website or available through the school office. Schools may make reference to the complaints policy in other school documentation.

### **Confidentiality**

All conversations and correspondence will be treated confidentially. Personal information will only be shared between staff and governors on a 'need to know' basis. Confidentiality will be maintained within the Governing Board to ensure sufficient governors have no prior knowledge of the complaint to enable a complaints panel to be convened, if required, at stage 4.

### **Accompaniment**

It is an expectation that equal respect will be granted to each person involved within the process and that differences between people will be respected and understood. This includes the complainant's right to be accompanied by a friend or relative at discussions and hearings and/or to submit formal complaints which have been written by another individual on their behalf.

It is the responsibility of the Local Authority to ensure that schools are implementing their agreed policies. It is not the role of the LA to become involved in setting policy or to intervene in individual cases, but to ensure that agreed policies have been applied appropriately. The responsibility for managing complaints lies with the Governing Board.

Where there is a serious allegation against the Headteacher, it is recommended that the Governing Board seek advice from Salford Diocese and Governor Services at Salford Local Authority from the outset.

### **Time between stages**

After each stage, the complainant and the individual who is dealing with their complaint at that time should allow 15 school days to decide an appropriate time limit within which the next stage should be accessed, if at all. If the complaint is not submitted to the next stage within this agreed time limit it should be considered as closed.

### **Changes to time limits and deadlines**

In general, the time limits and deadlines contained within this policy should be adhered to by the school. However, in certain circumstances it may be inappropriate or impractical, for example, if an investigation cannot be conducted due to school holidays or illness.

Where a complaint leads to criminal proceedings this will always be the case.

If and when it becomes necessary to alter the time limits and deadlines set out within this policy, the complainant should be told and given an explanation as to why this has been the case.

## **PROCEDURES FOR HANDLING COMPLAINTS**

### **STAGE 1: Informal stage - expressing concern**

#### **Introduction**

The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The vast majority of concerns can be dealt with informally. There are many occasions where concerns are resolved straight away without the need to submit a formal complaint. Indeed, many concerns raised at this level might not be classified as complaints.

#### **Who to speak to informally**

Individuals may decide to raise their concerns with a member of school administrative staff, class teacher, senior teacher, a member of the Senior Leadership Team or Headteacher depending on their wishes and the type of issues they want to discuss. The parent should identify the outcome they are looking for.

The Headteacher or relevant staff member should make a judgement on whether a written outcome is required at Stage 1, in conjunction with the complainant. This is unlikely to be required if the complainant is satisfied with the response and outcome, and the situation has been resolved verbally.

### **STAGE 2: Formal complaint: Referral to the Headteacher**

\* When a complaint is made directly against the school's Headteacher, stage 2 is not required and the formal procedure begins at stage 3.

#### **Introduction**

This is the first step of the formal complaints process and, as a result, all communications between parties need to be carefully recorded and monitored as set out in the 'monitoring complaints' section of this document.

#### **Submitting a formal complaint**

The complainant should provide details such as relevant dates, times, and the names of witnesses of events, alongside copies of any relevant documents, and what they feel would resolve the complaint. The proforma to use is on page 14.

By this stage it must be clear that the concern is a definite complaint which will be dealt with according to this policy and should be either by arranging an appointment with the Headteacher or by writing to the Headteacher.

#### **Acknowledgement and time scales**

The School should formally acknowledge the complaint within 3 school working days of receiving it and begin an investigation. The acknowledgement should include a brief summary of the complaints procedure and a target date for a written response within 10 school working days. If this is not possible a letter should be sent explaining the reasons and giving a revised target date.

### **The investigation**

The Headteacher (or designated member of the senior leadership team) may call a meeting to clarify concerns, and seek a resolution. The complainant may be accompanied to this meeting, and should inform the school of the identity of their companion in advance.

In certain circumstances, the school may need to refuse a request for a particular individual to attend any such meeting – for example, if there is a conflict of interest. If this is the case, the school will notify the complainant as soon as they are aware, so that the complainant has the opportunity to arrange alternative accompaniment.

If the complaint centres on a pupil, the pupil should also be interviewed, ideally with parents or guardians present, or an impartial member of staff present. In some situations, circumstances may prevent this e.g. where this would seriously delay the investigation of a serious/urgent complaint or where particular circumstances mean that a pupil has specifically said s/he would prefer that parents or guardians were not involved. In such circumstances another member of staff with whom the pupil feels comfortable will be asked to attend. If there are any concerns about involving a pupil in the investigations then, the Local Authority Designated Officer (Allegations) will be consulted.

The Headteacher may not delegate the decision on action to be taken after reviewing any relevant documentation and information.

If a member of staff is complained against, the Local Authority Designated Officer (Allegations) will be consulted about how any investigation should be conducted.

The Headteacher (or the nominee) keeps written records of meetings, telephone conversations, and other documentation.

### **Response**

The Headteacher may not delegate the decision on action to be taken after reviewing any relevant documentation and information.

Once all the relevant facts have been established, the Headteacher (or nominee) will either produce a written response to the complaint or meet the complainant to discuss/resolve the matter directly. This response will determine whether or not the complaint has been upheld, the reasons why, and what action (if any) will be taken within 10 school working days from the date the complaint was acknowledged.

The complainant should be advised that if s/he wishes to take the complaint further he/she should notify the Chair of Governors in writing within **5 working school days** of receiving the outcome letter.

## **STAGE 3: Complaint referred to the Chair of Governors**

### **Introduction**

Upon receiving a formally submitted complaint at this stage the Chair of Governors will seek to resolve the issue with the complainant by other means without the need for a Complaints Panel review at stage 3.

The Chair may ask the complainant to meet with the Head before progressing to Stage 3 in the hope that a resolution can be found.



When a complaint is made directly against the school's Headteacher, stage 2 is not required and the formal procedure begins at stage 3. Complaints made against the headteacher or any member of the governing board should be directed to the clerk to the governing board in the first instance.

If the complaint is about the headteacher or 1 member of the governing board (including the chair or vice-chair), a suitably skilled and impartial governor will carry out the steps at stage 1

### **Submitting a formal complaint**

The complainant must submit a written complaint to the Chair of Governors using the proforma on page 14 who will investigate the complaint or arrange for a nominee to investigate it.

### **Acknowledgement and time scales**

The Clerk to the Governors should formally acknowledge the complaint within 3 school days of receiving it.

### **The investigation**

The Chair of Governors will need to investigate the complaint, and review any relevant documentation and information available. If necessary, the Chair of Governors or a nominee will take statements from those involved.

### **Response**

The Chair of Governors will provide the complainant with a full written response within 10 school days of acknowledging it. This response will determine whether or not the complaint has been upheld, the reasons why, and what action (if any) will be taken. The response will provide details of how to move on to the next stage, if the complainant is not satisfied.

## **STAGE 4: Review by Governing Board Complaints Panel**

### **Governor Complaints Panel Arrangements**

The Chair of Governors will contact the Clerk to the Committee and ask them to begin making preparatory arrangements.

The clerk should then formally write to the complainant, the Headteacher and any other relevant staff or witnesses and inform them:

- Of the date, time and venue of the hearing;
- How it will be conducted;
- Request for any supporting documentation by either the complainant or the school which must be returned to the Clerk no later than 5 school days before the hearing takes place; this should include any request from supporting witnesses or representatives to attend with either party.
- Of the rights of accompaniment as outlined in this document.

The clerk will ensure that all parties receive all relevant documents at least 3 school days before the date of the hearing so as to allow individuals to familiarise themselves with them. The Chair of the Committee can decide that the meeting can be held online if this makes attendance of participants easier.

The complainant must have reasonable notice of the date of the review panel. The clerk will aim to find a date within 15 school days of the request, where possible.

If the complainant rejects the offer of 3 proposed dates without good reason, the clerk will set a date. The hearing will go ahead using written submissions from both parties.

Ultimately, the chair of the meeting has control over its proceedings.

### **The outcome**

The committee can:

- Uphold the complaint, in whole or in part
- Dismiss the complaint, in whole or in part

If the complaint is upheld, the committee will:

- Decide the appropriate action to resolve the complaint
- Where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future

The school will inform those involved of the decision in writing within 5 school days.

### **After the Panel meeting**

The panel will then consider the complaint and all the evidence presented and:

- Reach a majority decision, on the complaint;
- Decide or recommend upon the appropriate action (if any) to be taken;
- Where appropriate, suggest changes to, or request a review of, the school's systems or procedures to ensure that problems of a similar nature do not happen again.

The panel's decision will be sent in writing both to the Headteacher and the complainant within 5 school working days of the meeting.

### **Options for complainant**

This is the end of the school's complaints process. If the complainant is not satisfied they can contact the Secretary of State at:

Department for Education Schools Complaints Unit  
2<sup>nd</sup> Floor Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

Website: [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus)

The Secretary of State has the power to consider complaints in cases where the Governing Board may have acted unreasonably in the discharge of any of its statutory duties.

### **Referring complaints on completion of the school's procedure**

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the DfE.

The DfE will not re-investigate the matter of the complaint. It will look at whether the school's complaints policy and any other relevant statutory policies that the school holds were adhered to. The DfE also looks at whether the school's statutory policies adhere to education legislation.

The DfE will intervene where a school has:

- Failed to act in line with its duties under education law

➤ Acted (or is proposing to act) unreasonably when exercising its functions

If the complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

### **Complaints about SEN provision**

If your child has a special educational need and your concern or complaint is regarding the support that the school provides in relation to this, please communicate directly with the school SENDCO (Mr L Barrie). If your concern or complaint is not resolved at this stage, please contact the Headteacher (Mrs A Byrne), in writing. If a parent/carer is dissatisfied with the response provided by the SENCO and/or Headteacher they should pursue their complaint in line with the school's complaint policy.

Support can also be accessed via Salford Information Advice and Support Service (SIASS)

This service provides independent advice, information and support for children, young people, parents and carers in Salford about SEND. This includes liaison between home, school and the Local Authority, health and social services, educational psychology service and education welfare service. They can be contacted on 0161 778 0343/0349 or [siass@salford.gov.uk](mailto:siass@salford.gov.uk) or [www.salford.gov.uk/siass](http://www.salford.gov.uk/siass)

The parents/carers of pupils with disabilities also have the right to make disability discrimination claims to the First Tier Tribunal (under the Equalities Act 2010) if they believe that our school has discriminated against their children. They can make a claim about alleged discrimination regarding:

- Exclusions.
- Provision of education and associated services.
- Making reasonable adjustments, including the provision of auxiliary aids and services.

Where it is felt that that discrimination may have occurred in relation to any of the above, parents/carers should contact:

The First Tier Tribunal, Mowden Hall, Staindrop Road, Darlington, DL3 9BG (telephone number 01325 392760).

## **GOVERNOR COMPLAINTS PANEL GUIDANCE NOTES**

### **1 Terms of Reference**

The panel must be convened according to the complaints procedure published by the school as part of their complaints policy. All parties should have received a copy of the procedures.

### **2 Composition**

The panel must consist of three governors previously unconnected with the case.

The Chairman of the panel is agreed by the other members of the panel.

The meeting must be minuted by a nominated clerk who is usually the clerk to the Governing Board.

The minutes must be an accurate representation of what happens at the meeting. The minutes are confidential.

### **3 Chairman's Introduction**

- Welcome and introduce everyone in the room and their role in the proceedings. Those present will be the panel members, the clerk, the Headteacher, the complainant (both parties are entitled to be accompanied by a friend or relative)
- Witnesses in support of either the school or the complainant should wait outside the room until called.
- Explain the reason for the panel being held – to offer a fresh and fair look at the complaint from stage 3 as defined in the complaints procedures.
- Explain that the panel cannot consider new complaints at this stage.
- Explain the structure of the meeting.
- Explain that the panel will deliberate separately, in private, after the meeting and their conclusions will be sent out to all parties in writing within 5 school days.
- Ensure that everyone has a copy of the papers including a copy of the complaints procedures.
- Check that everyone understands all of the above.

The Chairman must ensure that:

- There is a clear written statement of the complaint which is the same as the complaint previously investigated. It may be appropriate to clarify if any aspects of the complaint fall outside the remit of the panel.
- There is a clear statement of the outcomes desired.

#### **4 Structure of the Meeting**

- a The complainant will be given the opportunity to explain their complaint.
- b The panel and the Headteacher (will be allowed to ask the complainant questions.
- c The Headteacher will be given the opportunity to present the school's response, interpretation or view about the complaint.
- d The panel and the complainant will be allowed to ask the questions.
- e At the panel's discretion, witnesses may be called and heard in support of either party's representations, and if so may be questioned by the panel and either party.
- f The complainant will be given the opportunity to make a final statement.
- g The Headteacher will be given the opportunity to make a final statement.
- h The Chairman will confirm with both parties that they have had the opportunity to put their case.
- i The Chairman will thank all for attending and explain that the panel will deliberate separately in private and a letter setting out the panel's conclusions will be sent out within 5 school days.

#### **5 Deliberation and Conclusion**

The main points of the complaint must all be addressed.

- For each point, the panel need to explain their findings based on fact where possible.
- The panel need to consider the outcomes requested and agree or disagree giving reasons.
- The panel can make recommendations to either the Headteacher or Governing Board.
- The concluding letter must be signed by the Chairman of the panel.
- It will be sent out promptly and within 15 schools days of the meeting.
- The letter should indicate that this is the final stage of the schools complaints procedure. Where relevant, it should refer the complaint to other available avenues if dissatisfied with the outcome.

## Appendix 1

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

**Your name:**

**Pupil's name:**

**Your relationship to the pupil:**

**Address:**

**Postcode:**

**Day time telephone number:**

**Evening telephone number:**

**Please give details of your complaint, including dates of specific incidents.**

**What action, if any, have you already taken to try and resolve your complaint. Have you followed the complaints policy through the stages?**

**(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 complaint lodged:**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**

## **St Patrick's RC High School - Policy Statement for Unreasonable Complaints**

St Patrick's RC High 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 staff from that behaviour, including that which is abusive, offensive or threatening.

St Patrick's RC High 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'*.

Unreasonable complaints include but are not exhaustive to:

- where the complainant has no view about what would constitute a satisfactory outcome and / or no intention to resolve the complaint
- where the complainant refuses to articulate their complaint or specify the grounds of a complaint
- where the complainant 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;
- Complaints which have been made before, and already been resolved by following the school's complaints procedure
- Complaints that are designed to cause disruption, annoyance or excessive demands on school time

Unreasonable behaviour is where a complainant:

- Uses Malicious, aggressive, intimidating, threatening, offensive language or actions which appear to be targeted and / or cause ongoing distress to staff (whether face-to-face, by telephone or in writing or electronically)
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaints procedure, beyond all reason
- Makes excessive demands on time and resources by frequent and lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone whilst a complaint is being dealt with and expecting immediate responses
- Changes the basis of the complaint as it proceeds or changes statements made at an earlier stage and uses falsified information
- Submits repeat claims with minor amendments to make them the new complaints
- Makes unjustified personal comments or complaints about staff who are trying to assist and / or seeking to have them replaced
- Refuses to accept that certain issues are not within the remit of the school or scope of the complaints procedure or insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;



- 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;
- Uses Subject Access Requests (SAR) and Freedom of Information Act (FOIA) requests excessively and unreasonably
- Publishes unacceptable information on a variety of media such as on social media websites and in newspapers
- refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaints procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the timeframes it sets out

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached

### **Steps we will take**

We will take every reasonable step to address the complainant's concerns, and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

The Headteacher may assess a complaint or a complainant's behaviour as unreasonable and will ensure that there is sufficient evidence to justify the decision. Wherever possible, the Headteacher will discuss concerns with the complainant before applying any further sanctions. If the behaviour continues or is more serious, the Headteacher will put in writing their decision and the way that future complaints will be dealt with. Any restrictions imposed will be accurate and proportionate. A serious incident or threat of violence or aggression will normally constitute a ban from the school premises and may involve police. This will be put in writing immediately.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may take the following actions singularly or in combination, depending on the particular circumstance of the case:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- Put any other strategy in place as necessary
- Insisting that no member of staff should meet the complainant on their own or notes will be taken and agreed in the meeting in the interest of all parties
- Restricting telephone calls from the complainant to specified days and times, possibly to a nominated contact
- Requiring that all future contact with the school is in writing, except in emergencies

- Banning the complainant from the school premises where the complainant's behaviour constitutes a nuisance or disturbance, with any appointments to be agreed in writing via the Headteacher
- Consideration of legal action

New and substantive issues from people who have deemed unreasonably persistent complaints will be treated in their merits and a reply will be sent to the complainant.

### **Stopping responding**

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our school site.

### **Duplicate complaints**

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no significantly new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and that the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint

If there are significantly new aspects, we will follow this procedure again.

### **Complaint campaigns**

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website

➤ Sending a template response to all of the complainants

➤

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

### **Record keeping**

The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally, and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and records management policy/record retention schedule.